



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

S.B. NO. 3237, S.D. 1, RELATING TO AGRICULTURE.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Friday, March 1, 2024

TIME: 10:31 a.m.

LOCATION: State Capitol, Room 211 and Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Jennifer D. Waihee-Polk,
Deputy Attorney General, at 808-586-1180)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General offers the following comments on this bill.

The bill, among other things, (1) amends sections 141-3.5 and 141-3.6, Hawaii Revised Statutes (HRS), to authorize the Big Island Invasive Species Committee, the Kauai Invasive Species Committee, the Oahu Invasive Species Committee, the Maui Invasive Species Committee, and the Molokai Invasive Species Committee (collectively, the Invasive Species Committees), and the Hawaii Ant Lab to develop and implement control or eradication programs and to enter into private properties to control or eradicate pests, including the authority to apply for and obtain a warrant in a district court (sections 4 and 5, page 12, line 7, through page 16, line 10); and (2) includes the Invasive Species Committees in the definition of "agents of the department," authorized to take certain regulatory actions as an agent of the Department of Agriculture under chapter 152, HRS (section 20, page 72, lines 18-20).

The Invasive Species Committees and the Hawaii Ant Lab are not government agencies. Further, the Department of Commerce and Consumer Affairs Business Registration Division website indicates that they also are not registered entities. Rather, they are projects of the Pacific Cooperative Studies Unit under the University of Hawai'i.

The regulatory functions described above cannot be given to non-governmental entities that do not have a separate legal existence.

Accordingly, we recommend that the bill be revised as follows:

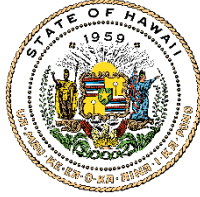
- Section 4, at page 13, lines 3-4, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, lines 9-10, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, line 19, to page 14, line 7, remove the definition of "invasive species committee";
- Section 5, at page 14, lines 11-13, revise as follows: ". . . or applicable county [~~applicable invasive species committee as defined in section 141-3.5(e), or the Hawaii ant lab~~]";
- Section 5, at page 15, line 1, revise as follows: ". . . or county [~~invasive species committee, or Hawaii ant lab,~~];
- Section 5, at page 15, lines 12-13, remove "employee of the invasive species committee, employee of the Hawaii ant lab,";
- Section 5, at page 15, lines 14-15, revise to read as follows: " . . . any agent authorized by the department or county [~~or invasive species committee~~]";
- Section 5, at page 16, lines 1-2, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 5, at page 16, line 8, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 7, at page 18, lines 4-6, remove ", including the appropriate invasive species committee for an island,"

- Section 20, at page 72, lines 18-20, amend the definition of "agent of the department" to read as follows:
"Agent of the department" means ~~[the applicable invasive species committee of]~~ any ~~[other]~~ person ~~[acting]~~ authorized to act on behalf of the department.
- Section 20, at page 73, lines 6-7, remove the definition of "invasive species committee."

Thank you for the opportunity to provide these comments.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKUAĀINA 'Ō HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING 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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committees on
WAYS AND MEANS
and
JUDICIARY

Friday, March 1, 2024
10:31 AM

State Capitol, Conference Room 211 and Via Videoconference

In consideration of
SENATE BILL 3237 SENATE DRAFT 1
RELATING TO AGRICULTURE

Senate Bill 3237 Senate Draft 1 facilitates the control and eradication of invasive species and pests, establishes a plant nursery licensing program, requires the Department of Agriculture (DOA) to designate certain species as pests for control or eradication, imposes certain limits on imports and transportation, and updates the method by which the DOA's noxious weed list is updated. The **Department of Land and Natural Resources (Department) supports this measure.**

The threat of a new, devastating pest or disease is ever-present. As global trade and travel continues to increase and expand, there are more opportunities for new pest incursions to occur. Recent statistics for Hawai'i estimate that 80% of commodities and 90% of our food is imported, and over six million people visit Hawai'i each year, making border biosecurity critical for preventing new invasive species from arriving and spreading in the state.

Drastic changes in the State's ability to regulate and prevent new and existing invasive species from entering and spreading are necessary and addressed in the 2017-2027 Hawai'i Interagency Biosecurity Plan. House Bill 2758 House Draft 2 addresses many of the actions identified in the plan, and its passage would support continued progress on achieving the plan's goal of a more biosecure Hawai'i.

Below is a list of how some of the proposed actions in this measure align with actions in the biosecurity plan:

SB 3237 SD1 Actions	HIBP Actions
Amends the chapter 150A HRS definition of pest so that a “pest” does not have to be designated by the Board of Agriculture.	Ore Border Policy 1.1, 1.2, Border Policy 1.1, 1.2, 1.3, 1.4, 2.2, Post Policy 1.1, 2.3
Proposes Chapter 72 HAR rule changes	Post Policies 1.1, 1.2,1.3, 1.5
Authorizes noxious weeds to be designated by a Board of Agriculture process that must occur each year	Border Policy 2.1

Mahalo for the opportunity to testify in support of this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

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

BEFORE THE SENATE COMMITTEES ON WAYS AND MEANS AND JUDICIARY

**MARCH 1, 2024
10:31 AM
CONFERENCE ROOM 211 & VIDEOCONFERENCE**

**SENATE BILL NO. 3237, SD1
RELATING TO AGRICULTURE**

Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Members of the Committees:

Thank you for the opportunity to provide testimony on Senate Bill No. 3237, SD1 relating to agriculture. This bill facilitates the control and eradication of invasive species and pests; establishes a plant nursery licensing program; requires the Department to designate certain species as pests for control or eradication; imposes limits on imports and transportation; and updates the method by which the Department's noxious weed list is updated.

The Department recognizes the threats pests and invasive species pose and appreciates the inclusion of many of the suggestions included in our prior submitted testimony, but respectfully opposes this bill. This bill will still require extensive programmatic changes due to the massive amount of amendments to the statutes, in addition to substantial changes to the Hawaii Administrative Rules (HAR) for



implementation of the proposed statutory requirements. Because this bill proposes to incorporate regulations that should exist within the HAR as opposed to the Hawaii Revised Statutes (HRS), translating these changes into an operational reality will be difficult and restrictive, as necessary adjustments cannot be made until a legislative session and a bill is subsequently passed. Further, some changes, such as those relating to private property access, should be made to HRS-194-5 as the Hawaii Invasive Species Council (HISC) authority to enter private property is more expansive. It should be noted that HISC has not identified any invasive species for control or eradication.

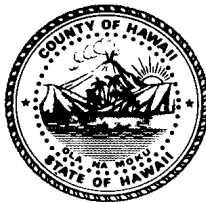
The Department also notes funding has not been appropriated to support the intent of the bill. To fully support and implement the intent of this Bill, the Department would need funding for the following: 1) Establish an entire new Branch to accommodate the Plant Nursery Licensing Program with a statewide CIP budget for facilities being approximately \$12.5 million, with staffing and operational funds of \$8.3 million. 2) The Plant Quarantine and Plant Pest Control Branches would need to reorganize and expand in size and scope of services with corresponding increases in facilities, vehicles, and operational costs. The Plant Quarantine Branch estimates a statewide CIP budget for facilities of approximately \$5.5 million, with staffing and operational funds of \$7.8 million. The Plant Pest Control Branch estimates a CIP budget for facilities statewide of approximately \$60 million and staffing and operational funds of \$30 million to support the intent of this bill.

Of key importance are language changes to HRS 141-3 found on page 12 "(b) The department of agriculture [shall], so far as reasonably practicable, shall assist, free

of cost [individuals,] persons, in the control of insects...” The replacement of the word “individuals” with “persons” means the Department must control pests for businesses and individuals as “person” now includes business entities. While the bill allows for Invasive Species Committees and the Hawaii Ant Laboratory to conduct specified control activities, as Research Corporation of the University of Hawaii based projects, their focus should be on research and extension, not regulatory work. As such, the Department is proposing union-based positions to fulfill the mandate of this bill.

Thank you for the opportunity to testify on this measure.

From the office of -
Council Member
District 3



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SUSAN L.K. LEE LOY

25 Aupuni Street, Hilo, Hawai'i 96720

February 28, 2024

The Honorable Senator Donovan Dela Cruz, Chair
The Honorable Sharon Moriwaki, Vice-Chair
Members of the Senate Committee on Ways and Means

The Honorable Senator Karl Rhoads Chair
The Honorable Mike Gabbard, Vice-Chair
Members of the Senate Committee on Judiciary

Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Support for SB 3237 SD1 relating to Agriculture

Aloha Chair Dela Cruz, Vice Chair Moriwaki, Chair Rhoads, Vice-Chair Gabbard and Members of the Committees on Ways and Means and Judiciary:

Mahalo for the opportunity to testify in strong support of SB 3237 SD1, relating to agriculture.

In our work on the Hawai'i County Council, it remains clear that we have many challenges facing our County. With our growing population and geography, I am hopeful we can substantially address these issues by establishing quarantine tools, creating a nursery licensing system, and streamlining rules to help monitor, control, and eradicate high-priority invasive species spreading throughout our state.

Mahalo, again, for the opportunity to recognize the collaboration needed between all jurisdictions as we evolve our response to invasive species for Hawai'i Island. By partnering and focusing our efforts, we will make the best use of our precious resources and develop viable solutions for a more efficient and effective response system.

Aloha Piha,

A handwritten signature in black ink, appearing to read "Susan L.K. Lee Loy".

Susan "Sue" L.K. Lee Loy
Council Member, County of Hawai'i, District 3
Chair, Policy Committee on Infrastructure and Assets

SB-3237-SD-1

Submitted on: 2/28/2024 9:14:59 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Kapono Chong-Hanssen, MD	Testifying for 'Ahahui o na Kauka. Association of Native Hawaiian Physicians	Support	Written Testimony Only

Comments:

'Ahahui o nā Kauka is an organization of Native Hawaiian physicians dedicated the health of the people of Hawai'i and Native Hawaiians in particular. We are deeply concerned about the recent spread of invasive pests throughout the pae 'āina o Hawai'i, and we urge you to do everything you can to rein in the spread of these pests emerging as threats to our food security, native ecosystems, culture practices, economy, quality of life and health.



Testimony Before The
Senate Committee on Ways and Means (WAM)
Senate Committee on Judiciary (JDC)
IN SUPPORT OF SB3237 SD1
March 1, 2024, 10:31AM, Room 211 & Via Zoom

We are Olan Leimomi Fisher and Kevin Chang, Kua'āina Advocate and Executive Director, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) almost 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." Our shared vision is to once again experience what our kūpuna (ancestors) referred to as **'ĀINA MOMOMA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

KUA strongly supports SB3237 SD1 as an incremental step toward 'āina momona.

This bill provides necessary and urgent solutions to tackle the growing infestation of invasive pests across our islands. Communities we work with are intimately familiar with the impacts that invasive species can have on every aspect of life in Hawai'i—jeopardizing our native ecosystems, food security, cultural practices, public health, fire safety, climate resiliency, economy, and overall quality of life. The impacts from invasive pests and noxious weeds may also be irreversible once they are established, eroding cultural practices and resources that Kānaka Maoli communities are perpetuating and regenerating in furtherance of cultural integrity, food self-sufficiency, and connections to 'āina and each other that will carry us through the difficult times ahead. For example, **we have heard several horrifying stories from our network members of Little Fire Ants hugely impacting their mālama 'āina operations and quality of life both personally and professionally.**

Supporting SB3237 SD1 is imperative. Our Department of Agriculture has little capacity to fulfill its kuleana and build regulatory systems that can meaningfully protect us from the existential, biological threats that our state now faces. Organizations and initiatives in our

networks have long dedicated considerable energy and resources to educate and engage their people and the general public to act in defense of our islands from invasive species. These efforts may continue to be in vain if we do not have the support of government agencies and the vast resources and authorities they exclusively yield.

We implore you to prioritize our biosecurity systems before it is too late. This measure addresses multiple long-standing gaps in invasive species planning and response programs and establishes comprehensive protections against the further introduction and spread of invasive pests and noxious weeds. We cannot afford the “business as usual” status quo – we must take serious steps before things become irreparable for present and future generations. **‘Āina Momona is not achievable without prioritizing the urgent eradication of these invasive pests to best protect our precious biocultural resources and those that care for them.**

Please **PASS** SB3237 SD1. Mahalo for the opportunity to support this important issue.

Aloha ‘Āina Momona no nā kau ā kau.



February 28, 2024

Hawai'i State Capitol
415 South Beretania St
Honolulu, HI 96813

RE: SB3237 SD1

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

Aloha, my name is Jonnetta Peters and I STRONGLY SUPPORT SB3237 SD1.

I represent Conservation Council for Hawai'i, a non-profit environmental organization that serves to protect Hawai'i's native endemic species and ecosystems with approximately 4,000 members nationwide, and the Hawai'i affiliate of the National Wildlife Federation, with approximately 4,000,000 members and 52 affiliates throughout our nation, including two territories.

Unchecked invasive pests and plants pose many threats to our endemic species and ecosystems. This measure will help to close the gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

Efforts have been frustrated by a lack of sufficient government support. For example, the HDOA's failure to stop the movement and sale of infested plants and other commodities has likely contributed to the establishment and spread of the coconut rhinoceros beetle on three of our major islands. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants (LFA) across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species. LFA are highly detrimental to humans, pets and wildlife and the environment.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

I strongly urge the Committees to PASS SB3237 SD1.

Mahalo Nui,

Jonnetta Peters
Executive Director

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web: www.conservehawaii.org | P.O. Box 2923, Honolulu, HI 96802
President: Colleen Heyer | **Vice President:** Sunshine Woodford | **Secretary:** Makaala Kaaumoana
Treasurer: Mashuri Waite Ph,D | **Directors:** Puanani Anderson-Fung,
Bret Nainoa Mossman, Michael Nakachi,
Executive Director: Jonnetta "Jonee" Peters
Operations and Events Manager: Leah Kocher
National Wildlife Federation Region 12 Director: Rachel Sprague
National Wildlife Federation Pacific Region Associate Director: Emily Martin
Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation

BIISC
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February 28, 2024

Hearing: COMMITTEE ON JUDICIARY/COMMITTEE ON WAYS AND MEANS
RE: SB3237

Aloha,

Thank you for the opportunity to provide comments on this bill. Hawai'i has long needed serious upgrades to our biosecurity systems, and this bill goes a long way toward filling many gaps.

There are many key positive measures offered by this bill that we feel move strongly in the right direction, much already laid out in the 2017 Hawaii Interagency Biosecurity Plan, which had strong public support. For many years, BIISC has advocated for an update to the Noxious Weed List, last revised in 1992. We launched a voluntary nursery endorsement and education program, Plant Pono, which has been very successful in reducing the number of invasive plants sold in the horticulture trade. However, we can only *request* that a nursery choose to avoid selling invasives; because they are not legally required to stop, 25% of our retail nurseries on the Big Island still sell invasive plants. More than 99% of the world's plants remain legal to import to Hawai'i - no matter how invasive! We need not just an updated Noxious Weed list, but a "living" list that can be adjusted and updated in a timely manner. This act provides exactly that - a requirement for annual updates.

We are supportive of the extension of authority to the ISCs and Counties to design and coordinate eradication programs that include the potential for admission to private property for treatment. Here on the Big Island, we have thousands of vacant parcels with absentee owners, and the lack of ability to reach those owners and obtain permission for access can often be a huge barrier to a successful control program. This is a key measure to stop incipient invasions.

For over a year, we have been steadily providing our support for the proposed updates to HAR Ch 4-72. This bill includes those key updates and ensconces them in law, allowing for critical intervention actions in the movement of potentially infested materials to stop the movement of pests. As one of the islands to only recently have detected coco rhino beetle, we welcome these key improvements to help in the battle against CRB. Similarly, streamlining the process for allowing the definition of "pest" to be update quickly in response to new detections, rather than follow the existing process which can take months or years (and severely hamper response efforts during a critical time), is a huge step forward in making Hawai'i more responsive to the increasing challenges of our modern era.

There are many other positive provisions in the bill that BIISC feels are important to improving Hawaii's biosecurity. Thank you for this opportunity to offer comments, and do not hesitate to contact me for more information.

Franny Kinslow Brewer
Program Manager
fbrewer@hawaii.edu
(808) 933-3340

SB-3237-SD-1

Submitted on: 2/28/2024 2:38:34 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Paddy Kauhane	Testifying for Boys and Girls Club of Hawaii	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

As President & CEO of Boys and Girls Club of Hawaii, I, Paddy Kauhane, wish to provide testimony in **STRONG SUPPORT** of SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully and strongly urge the Committees to **PASS SB3237 SD1**.

Mahalo for this opportunity to testify.

Paddy Kauhane

President & CEO

Boys and Girls Club of Hawaii

Serving the islands of Oahu and Kauai



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON JUDICIARY SENATE COMMITTEE ON WAYS AND MEANS

March 1, 2024

10:31 AM

Conference Room 211

In **SUPPORT** of **SB3237 SD1**: Relating to Agriculture

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Committee Members,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS SB3237 SD1**, which establishes a long-needed, comprehensive biosecurity strategy to protect our environmental, cultural, agricultural, recreational, economic, and quality of life interests from the devastating impacts of invasive species.

Hawai'i's history has given us a host of lessons regarding the wide-ranging and potentially irreversible damage that invasive species can inflict on our islands and ways of life. Invasive plants and wildlife have overtaken entire watersheds, impacting not just native habitat but also reducing aquifer recharge, increasing our vulnerability to floods and wildfires, and smothering our nearshore reefs and waters with runoff. Parasites and other pests have impacted local food production and increased the use of toxic pesticides on farms and in home gardens, risking both public health as well as threatening stream and nearshore species critical to our aquatic ecosystems. Invasive animals have also extirpated native species, threaten others with outright extinction, and continue to undermine public health by acting as vectors for zoonotic diseases.

Most recently, the spread of the little fire ant (LFA) and coconut rhinoceros beetle (CRB) have caused widespread concern about our ongoing lack of proactive government strategies to detect, control, and eradicate these and other potentially devastating pests. Unfortunately, this has resulted in the outright infestation of Hawai'i Island by the LFA, and what many consider to be the irreversible establishment of CRB on O'ahu, notwithstanding months and years of grassroots community efforts to stop their spread. As CRB and LFA are now being found on islands where they have not yet been established, filling the gaps in our governmental biosecurity systems is a critical and imminent need if we hope to defend our islands from any more impacts from these and other invasive pest species.

Accordingly, the Sierra Club strongly supports the much needed, comprehensive



SIERRA CLUB OF HAWAI'I

biosecurity programs and authorities provided under this measure. Its expedited pest and noxious weed designation processes, control and eradication program mandates, inspection authorities, import restrictions, quarantine requirements, and nursery licensing program are all necessary and vital to avoiding and mitigating the worst impacts of our current and potential future invasive species crises.

Therefore, the Sierra Club of Hawai'i respectfully urges the Committees to **PASS** this measure. Mahalo nui for the opportunity to testify.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Second Legislature, State of Hawaii
The Senate
Committee on Ways and Means
Committee on Judiciary

Testimony by
Hawaii Government Employees Association

March 1, 2024

S.B. 3237, S.D. 1 – RELATING TO AGRICULTURE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly opposes S.B. 3237, S.D. 1 which facilitates the control and eradication of invasive species and pests, establishes a plant nursery licensing program, requires the Board of Agriculture to designate certain species as pests for control or eradication, and imposes certain limits on imports and transportation.

While we understand and support the intent of S.B. 3237, S.D. 1 to facilitate the control and eradication of invasive species and pests and assist the Department of Agriculture (DOA) in carrying out its responsibilities, we have concerns due to the potential impact it will have on the department and its current civil service employees. We believe this proposed legislation will allow for duties and responsibilities currently performed by state employees, to be performed by outside agencies who are not employees of the state's plant regulatory agency.

Authority and control of the state's pest and invasive species programs should remain solely with the DOA and duties performed by this program should continue to be performed by civil service employees. These programs must continue to be performed by civil servants and 'private entities' should not be allowed to do this work – civil service duties and responsibilities should solely be reserved for civil servants.

Thank you for the opportunity to provide testimony in opposition of S.B. 3237, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director



Hawai'i Forest Industry Association

7192 Kalaniana'ole Hwy
Suite A-143A, #249
Honolulu, HI 96825
Phone: 808/933/9411
Email: hfia@hawaiiiforest.org

Date: 02/28/24

TO: JDC Chair Rhoads and Vice Chair Gabbard, WAM Chair Dela Cruz and Vice Chair Moriwaki, JDC Committee Members Elefante, San Buenaventura, Awa and WAM Committee Members Aquino, DeCoite, Hashimoto, Inouye, Kanuha, Kidani, Kim, Lee, Shimabukuro, Wakai, Fevella

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Comments on SB3237 SD1 Relating to Agricultural Biosecurity

Dear Chair Rhoads, Chair Dela Cruz and Committee Members,,

On behalf of the Directors of the Hawai'i Forest Industry Association (HFIA), these comments are on the language of the bill SB3237 SD1 Relating to Agriculture.

The Hawai'i Forest Industry Association (HFIA) supports the funding of agricultural biosecurity programs including those outlined in this measure. However, as an Association composed of various professionals and experts on forestry and resource management, we encourage the language of the measure to include commercial forestry. Just as various other aspects of Hawaii's economy, infrastructures and livelihood such as agricultural, horticultural, aquacultural, poultry, livestock, irrigation etc., which are outlined multiple times in this measure, commercial forestry is also negatively impacted by invasive species and pests.

Section 3, Subsection 3Aii (page 10) lists "public health and welfare, private property, or the agricultural, horticultural, aquacultural, or livestock industries of the State;" on lines 15, 16, 17 and 18 . The HFIA would like the legislature to recognize that pests designated for control or eradication also pose a threat to commercial forestry as well, and recommends the inclusion of "commercial forestry" in this list of affected areas.

Additionally, within Section 4, Subsection 4 (page 74) the amended definition of "noxious weed" should also include "commercial forests" in the list of products damaged or injured by these invasive weeds, on lines 11, 12, 13 and 14.

The HFIA hopes that you will consider amending the language of SB3237 SD1 to include commercial forests/commercial forestry, which is also endangered by high risk invasive pests.

Mahalo,

Guy Cellier, President
Hawai'i Forest Industry Association

HFIA's mission is to promote healthy and productive forests and a sustainable forest industry through management, education, planning, information exchange, and advocacy. HFIA has over 130 members including woodworkers, landowners, sawyers, foundations, foresters, growers, educators, environmentalists, architects, millers, ranchers, and others interested in HFIA's mission and goals.

HFIA Board of Directors

Officers: President Guy Cellier, Vice President Irene Sprecher, Secretary Taylor Coons, Treasurer Wade Lee
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Ka Iwi Coalition

Mauka to Makai



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2024

February 28, 2024

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Livable Hawaii Kai Hui is a 501(c)(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources, and upholding the integrity of the East Honolulu Sustainable Communities Plan.

Hawai'i State Senate
Committees on Judiciary & Ways and Means
Decision Making on March 1, 2024 at 10:31 a.m.
415 South Beretania Street
Honolulu, HI 96813
Conference Room 211 & Videoconference

SUBJECT: STRONG SUPPORT FOR SB3237 SD1

Aloha e Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and JDC/WAM Committee Members,

As an 'āina-based nonprofit with a mission to protect East Honolulu's cultural and natural resources, Livable Hawaii Kai Hui **strongly supports SB3237 SD1** regarding invasive species, pests, and noxious weeds.

Biosecurity must be a top priority in Hawai'i. Its implications are massive, not only for the environment, but the economy, supply chains, sustainability, and resiliency of our people. Furthermore, given Hawai'i's high foot traffic, the results of a biosecurity failure may not only be devastating here, but possibly worldwide.

Our communities have shown a strong and consistent commitment to tackling the problem of invasive species, pests, and noxious weeds, but the sheer scope of the issue demands government action. SB3237 SD1 may not be a panacea, but it represents an incredibly long overdue improvement to our biosecurity systems that we will need if we hope to make a difference.

Mahalo to both Committees for taking up this measure and voting in support of our 'āina.

Mālama pono,

Elizabeth Reilly
Founder/President



COORDINATING GROUP ON
ALIEN PEST SPECIES

The Senate
Committee on Ways and Means
Committee on Judiciary
Friday, March 1, 2024
10:31 AM Conference Room 211
State Capitol

Testimony in Support of SB3237 SD1

Aloha Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) is **in strong support of SB3237 SD1 Relating to Agriculture**, which would facilitate the control and eradication of invasive species and pests, provide statutory authority for the current actions carried out by the Hawaii Department of Agriculture (HDOA), and assist HDOA in addressing priority pests. SB3237 SD1 addresses gaps in Hawaii's biosecurity. We all agree that HDOA is under-resourced and would benefit from additional funding and staff. However, SB3237 SD1 contains many provisions that will advance Hawaii's biosecurity without requiring significant, or in many cases any new expenditures. We hope the Committees will move this bill forward.

Low Cost, High Impact Fixes to Gaps in Hawaii's Biosecurity Framework

Among many other low-cost, high-impact amendments made by SB3237 SD1, we highlight the following:

Protecting public health and welfare. Only HDOA has the authority to ban, or regulate the movement of, pests or other invasive species or material infested with a pest or invasive species.¹ SB3237 SD1 recognizes that we all rely on HDOA to protect our State and resources from invasive species and makes amendments to clearly state that HDOA's statutory authority to prevent and control invasive pests and weeds is for the protection of not just agriculture and forests, but also for public health and welfare, native species, and the environment. We applaud this clarification.

Protecting Hawaii's forests by requiring firewood treatments. SB3237 SD1 closes another biosecurity gap by addressing the importation of firewood which is currently under-regulated as

¹ See *Atay v. Cty. of Maui*, 842 F.3d 688, 709 (9th Cir. 2016); *Syngenta Seeds, Inc. v. Cty. of Kauai*, 664 F. App'x 669, 673 (9th Cir. 2016); and *Hawai'i Floriculture & Nursery Ass'n v. Cty. of Hawaii*, No. CIV. 14-00267 BMK, 2014 WL 6685817, (D. Haw. Nov. 26, 2014), *aff'd sub nom. Hawai'i Papaya Indus. Ass'n v. Cty. of Hawaii*, 666 F. App'x 631 (9th Cir. 2016))

a pathway for the introduction of harmful pests such as the Asian Longhorned Beetle, Emerald Ash Borer, and diseases of trees. Firewood is often low-quality wood and many states already have heat treatment requirements as proposed beginning on page 29, line 12. Not requiring these same treatments leaves Hawaii in the vulnerable position as one of the few states that will take untreated firewood. Requiring heat treatment prior to importation into Hawaii is a sensible, low-cost, and high-reward regulation that became extremely important several years ago when federal regulations related to firewood were repealed. The proposed requirements in this bill do not apply to firewood harvested in Hawaii.

Protecting Citrus Through Effective Enforcement of Federal Quarantines. We urge this Committee to re-insert language to provide HDOA with the authority to enforce United States Department of Agriculture (USDA) quarantines in effect for all contiguous states. Hawaii's citrus industry is an example of how we can be successful in diversifying agriculture, yet protective regulations have not been enacted, leaving this multi-million dollar industry, among other industries, at serious risk. Unfortunately, SB3237 SD1 removed a section that would close a huge hole in Hawaii's biosecurity framework. The removed language would have prohibited the domestic importation into Hawaii of items that the USDA has quarantined from moving interstate to prevent the spread of invasive pests. Currently, HDOA inspectors do not have the authority to enforce USDA interstate quarantines and USDA does not inspect items imported into Hawaii, so restricted material from federally quarantined areas is able to enter Hawaii.

Hawaii is one of two citrus-producing states that does not have documented cases of citrus greening, the most serious citrus disease in the world. There is no cure for this disease which has devastated millions of acres of citrus production globally, including in Florida and other citrus-producing states.² USDA has developed interstate quarantines to prevent citrus greening from spreading to new areas. Preventing citrus greening and other devastating pests and diseases quarantined by USDA from moving interstate into Hawaii is critical to our biosecurity. Section 436(b) of the federal Plant Protection Act preempts any state law that attempts to restrict "the movement in interstate commerce of any article, means of conveyance, plant, biological control organism, plant pest, noxious weed, or plant product in order to control a plant pest or noxious weed, eradicate a plant pest or noxious weed, or prevent the introduction or dissemination of a biological control organism, plant pest, or noxious weed, if the Secretary [of the United States Department of Agriculture] has issued a regulation or order to prevent the dissemination of the biological control organism, plant pest, or noxious weed within the United States." (7 USC 7756(b)(1)) We respectfully request the Committees consider adding back in the provision to prohibit, under State law, items that are prohibited under federal law as quarantined for pests from being imported into Hawaii from other states. We are aware that the Supremacy clause of the United States Constitution requires that any State law comply with the preemption requirements of the federal Plant Protection Act. We note that there is an exception for such state restrictions that "are consistent with and do not exceed the regulations or orders issued by the Secretary [of USDA]." (7 USC 7756(b)(2)(A)) To clarify that there is no issue with the federal preemption under section 436(b) of the Plant Protection Act (7 USC

² See <https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/citrus/citrus-greening>

7756(b)), we suggest borrowing language from section 2(1) of the Idaho Plant Pest Act of 2002 (Idaho Code Ann. § 22-2013 (1)), which provides in part “The [Idaho State Department of Agriculture] may seize, destroy or require treatment of products moved from a federally regulated area if they were not moved in accordance with the federal quarantine rules or, if certified, they were found to be infested with the plant pest.” This language has been in effect for more than 20 years. Therefore, we respectfully ask the Committee to consider inserting on page 32, between lines 3 and 4, the following to protect Hawaii’s citrus, and other, industries:

“§150A- Cooperative Enforcement of Pest Quarantines.

Interstate shipments for entry into the State are subject to the following:

- (1) Any regulated article that is prohibited from interstate movement pursuant to a quarantine issued by the United States Department of Agriculture or a valid quarantine issued by a state, or is required by the United States Department of Agriculture to be certified to prevent the movement of a pest and is found to be infested with the pest, shall not enter the State;
- (2) The owner or carrier of regulated articles that are reportedly originating in nonregulated areas of a quarantined state shall provide proof of origin of the regulated articles through an invoice, waybill or other shipping document; and
- (3) If only a portion of a state is under a state or federal quarantine, the entry of the shipment into this State shall not be refused nor shall a certificate be required if the article originates from a nonregulated area of the shipping state, unless the article is found to be infested or prohibited.”

Clarifying that Selling Pest-Infested Plants is Prohibited. Section 16 of SB3237 SD1 makes important changes to section 150A-8, Hawaii Revised Statutes, (HRS) which regulates the movement of pests within the State. The amendments allow HDOA to stop the movement of merchandise for sale to the public that is infested with a pest. At this time, HDOA has no statutory authority to stop the sale of pest-infested merchandise. Any “quarantine” of plants known to be infested with a pest, such as little fire ants, is **voluntary** for the seller. We strongly support these important changes and note that they will not require a new or expensive program. However, we respectfully suggest the Committee consider one additional amendment that prohibits selling plants infested with a designated pest. This will incentivize nurseries and other plant sellers to use best management practices to ensure that their stock is not infested with pests and protect unsuspecting consumers. One approach is to amend section 150A-8, HRS, to set an administrative penalty for selling plants infested with a known

pest. This could be accomplished by adding a new subsection on page 53, between lines 17 and 18, as follows:

“(g) Selling a plant that is infested with a pest designated for purposes of this subsection, or that is stored in an area known to be infested with such a pest, is prohibited. For purposes of this subsection, the department may designate different pests for different islands of the State. Any person who violates this subsection shall be fined no more than \$_____ for each separate offense. Any action taken to impose or collect that penalty shall be considered a civil action.”

Innovations to Update Invasive Species Administrative Rules

Designated Noxious Weeds. HDOA is under-resourced. The Plant Quarantine Branch is charged with inspecting millions of imports each year and the Department must make on-going decisions on how to allocate its scarce resources. This has resulted in administrative rules intended to prevent the importation or spread of pests and noxious weeds becoming so out of date that they are ineffective. For instance, HDOA has not been able to update its list of noxious weeds in more than 30 years. (§4-68 HAR, *List of Plant Species Designated as Noxious Weeds for Eradication or Control Purposes by the Hawaii Department of Agriculture*, June 18, 1992) Section 150A-6.1(d), HRS, prohibits the commercial importation or sale of noxious weeds. However, since the list of species that are noxious weeds has not been updated in more than 30 years, this prohibition does not prevent the commercial importation or sale of high-impact invasive plant species. Part IV of SB3237 SD1 makes amendments to chapter 152, HRS, to set up a rolling, ongoing process to keep the list of noxious weeds updated. The noxious weed designation procedures set out in SB3237 SD1 are similar to procedures used by Washington state. While the initial updates to the list will be a big effort, after those initial updates, HDOA will have a process in place to keep the list current with appropriate input from the public and interested groups. Having a list of noxious weeds that is current will make the laws enacted to prevent invasive plants from entering or spreading in Hawai‘i effective.

Pests Designated for Control or Eradication. The list in attachment 1 of chapter 4-69A, Hawaii Administrative Rules, "List of Insects, Mites, Other Pests, and Plant Diseases Designated as Pests for Control or Eradication Purposes by the Hawaii Department of Agriculture" was last updated in 2008 and contains 89 taxa, some of which are no longer high-priority invasive species in the State and others are species that can no longer be effectively controlled in all locations. Section 3 of SB3237 SD1 amends section 141-3, HRS, to require HDOA to update the list of species designated as pests for control or eradication once every two years. This will result in the list of pests designated for control or eradication being up to date, likely much shorter, and including only the actual targets for active control or eradication by HDOA. This will clarify which pests are true targets for HDOA control or eradication, including on private property. We note that Hawaii Island has often been overlooked with respect to control or eradication of invasive species and they are overrun with pests other islands hope to keep out. We also note that new, high-impact pests may impact Oahu before reaching other islands. This is the current scenario

with the devastating coconut rhinoceros beetle. To protect all the islands from future infestations and account for current infestations, we respectfully suggest the Committee add language at the end of section 141-3.5(a), HRS, on page 12, line 18, as follows: “The department shall consider that risks posed by a pest may be different for different islands of the State. The department shall consider conditions and impacts to each island in developing and implementing each program required by this subsection.”

Nursery Licensing as a Framework for Effective Communication and Regulation

An important amendment made by SB3237 SD1 is the establishment of a nursery licensing program for plant nurseries in part III, which begins on page 17, line 3. Licensing programs are a sensible approach that has been successfully used by a variety of regulatory agencies in similar forms to streamline regulations and communications, and better manage risk. One of the more familiar frameworks is the Hawaii Department of Health’s restaurant placard program. Currently, HDOA does not require nurseries and entities that sell or offer plants to be licensed or even registered with the department.

Hawaii urgently needs a program to license and inspect plant nurseries, as high-priority invasive pests such as coconut rhinoceros beetle (CRB), coqui frog, and little fire ants (LFA) are spreading across and within islands right now on infested nursery plants. The detection of LFA in the plants donated to the Punahou Carnival in February 2024, exemplifies the problem. The plant sale could not begin on time because of the LFA detection and there was no clear way to determine which nursery or business donated the LFA-infested plants. ([Governor’s Press Release Feb. 2, 2024](#); [KHON News Feb. 2, 2024](#)) The LFA was detected only because Punahou allowed the Oahu Invasive Species Committee (OISC) to check the donated plants before the Carnival. Plants donated to the Carnival have been inspected by OISC or Hawaii Ant Lab staff every year since LFA were found in a plant that had been purchased at the Carnival in 2019. ([KHON News Mar 2, 2019](#)) This unfortunate situation was big news and reported by many media outlets. The sad truth is that consumers purchase plants infested with LFA every day from the same nurseries that donated plants to the Carnival, unknowingly spreading the pest to their homes and communities. A nursery licensing and inspection program is urgently needed to stop the spread of LFA and other pests via nursery plants.

Nursery licensing programs that allow announced or unannounced inspections without a warrant are common in other states, including Delaware, Maine, Nevada, New Hampshire, New York, Oregon, Vermont, and Wisconsin. These programs require each nursery business to obtain a license or permit from the state and be subject to compliance inspections without a warrant. HDOA already has the statutory authority to obtain a warrant to enter private property to control or eradicate a pest. (§141-3.6 HRS) However, for a variety of reasons, HDOA has not used that authority to control or eradicate pests on nursery plants and certain “bad actor” nurseries have continued to sell pest-infested plants for years.

Without a nursery licensing program, HDOA lacks the necessary framework to quickly communicate pest alerts, regulatory information, or Best Management Practices (BMPs) with these businesses. We applaud and support the changes made in section 26 of SB3237 SD1 to facilitate an orderly roll-out of the nursery licensing program by providing HDOA a two-year period to develop and provide BMPs and engage nurseries in pieces of training.

We are also concerned that there may be opposition to the proposed nursery licensing program because HDOA's current list of pests for control or eradication is out of date. As noted above, the "List of Insects, Mites, Other Pests, and Plant Diseases Designated as Pests for Control or Eradication Purposes by the Hawaii Department of Agriculture" (Ch. 4-69A, HAR, Attachment 1) was last updated in 2008 and contains taxa which are no longer high-priority invasive species or that can no longer be effectively controlled in all locations. SB3237 SD1 amends section 141-3, HRS, to require HDOA to update the list of species designated as pests for control or eradication once every two years. This will result in that list of pests being up to date, likely much shorter, and including only the actual targets for active control or eradication by HDOA. However, there is a drafting issue with the definition of "high-priority pest". To clarify the definition and ensure the concerns of each island of the State are considered, we respectfully suggest modifying the definition of "High-priority pest" beginning on page 17, line 19, through page 18, line 10, so that it reads as follows (additions in bold; deletions are struck through text):

"High-priority pest" means a pest, [~~including a noxious weed;~~] **with respect to a location selling nursery stock, that is designated by the department as a high-priority pest for the island where the location is situated. A high-priority pest is a pest:**

(1) That is not known to appear frequently within the State[~~;~~] **or that has limited distribution within the State;**

[~~(2) That has a limited distribution within this State;~~]

[~~(3) That the department or other government entity, including the appropriate invasive species committee for an island, attempts to contain, suppress, or reduce within the State including any pest or noxious weed designated by the department;~~] and

[~~(4)~~] **(2)** Whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Each pest designated as a pest for control or eradication by the department and each noxious weed designated pursuant to chapter 152 shall be a high-priority pest for an island where that pest is not fully established in all areas of the island."

Technical And Correcting Amendment

Although the language on page 41, lines 7 through 14 corresponds to a USDA inspection authority, it is not clear why some but not all U.S. Territories are listed. Therefore, we respectfully propose the language below which includes all U.S. Territories (additions in bold):

(A) May conduct inspections of person, baggage, cargo, and any other articles destined for movement between the islands of Hawaii or importation into this State from the continental United States, **American Samoa, Commonwealth of the Northern Mariana Islands**, Guam, Puerto Rico, or the United States Virgin Islands for the purpose of determining whether an insect, pest, disease, or regulated or restricted taxa is present;

SB3237 SD1 is a much-needed update for Hawaii's invasive species protection statutes that will make a meaningful difference in preventing the introduction and spread of harmful and expensive invasive species. Mahalo for the opportunity to support SB3237 SD1 and for consideration of our testimony.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow

Hawai'i State Senate Committees on Agriculture and Environment &
Transportation and Culture and the Arts
SB3237 – Relating to Agriculture

RE: Strong support of SB3237

February 29, 2024

The Council for Native Hawaiian Advancement (CNHA) writes in **strong support of SB3237**. This bill is critical to mitigate the ongoing and worsening impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

Invasive species, like little fire ants and coconut rhinoceros beetles, pose an existential threat to Hawai'i's agricultural resilience. These pests can infest in plants, fields, farms, and properties; harm or kill crops, native species, and people; and irreversibly damage our delicate ecosystems. While communities across the pae 'āina are taking action to detect, control, and eradicate pests in their neighborhoods, these efforts should be supported by sufficient government support from the Hawai'i Department of Agriculture (HDOA).

SB3237 authorizes HDOA to be significantly more aggressive in its planning, programming, and management of invasive species, pests, and noxious weeds. The bill's comprehensive biosecurity strategy establishes multiple solutions, including regular updates of its list of pests, quarantine measures, and pest and weed control and eradication programs. It also significantly expands comprehensive detection, control, and eradication strategies, including the licensing of nurseries and regulatory mechanisms and authorization of invasive species committees to inspect properties for control and eradication program purposes. These updates to our biosecurity systems are necessary to mitigate the problem before it gets even worse.

This measure gives our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive pest species. For these reasons, we humbly ask that you **PASS SB3237**.

Me ka ha'aha'a,

Madelyn McKeague
Policy Manager, CNHA

SB-3237-SD-1

Submitted on: 2/29/2024 11:09:49 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven Lee Montgomery	Testifying for Ahahui Malama I Ka Lokahi /Hawaiians for the Conservation of Native Ecosystems	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

I am Steven Lee Montgomery, Ph. D., entomologist and Board Member of Ahahui Malama I Ka Lokahi which STRONGLY SUPPORTS SB3237 SD1 to fill gaps in our biosecurity planning and response systems, and prevent impacts of new pests on native ecosystems, food security, public health.

We need State government to better prevent invasive species such as the little fire ant and coconut rhinoceros beetle from permanently impacting human & native lives in our islands. Recently, 175 acres of little fire ant-infested forest in Nāhiku were successfully treated, so on Oahu we must do the same to protect our 'āina and future generations from a devastating invasive pest. The Oahu fire ant crisis must be met with much more urgency by the Agriculture Department officials, which has allowed the Oahu spread to continue, so we asked DOA to adopt new rules without any more delays.

Please PASS these reforms! Mahalo,

Steven Lee Montgomery, Ph. D., Board Member

Ahahui Malama I Ka Lokahi /Hawaiians for the Conservation of Native Ecosystems
P.O. Box 720, Kailua, HI 96734 www.ahahui.net

To practice, promote and perpetuate a modern native Hawaiian conservation ethic that provides for a healthy Hawaiian ecosystem nurtured by human communities and serving as a model for local and global resource management.

SB-3237-SD-1

Submitted on: 2/29/2024 2:27:56 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Cindy Jocelyne Dupuis	Testifying for Hawaii Environmental Restoration	Support	Written Testimony Only

Comments:

I believe SB3237 is of utmost importance to the Hawaii Environment, and something that should have been done many years ago. Please prioritize this bill as soon as possible. I hope our State Government will consider the way New Zealand operates on these issues, and consider even stronger measures with issues of invasive species for Hawai'i.

Thank you so much for the opportunity to have a voice concerning this issue; I have been waiting a long time to see this happen!



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, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON JUDICIARY
SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY ON SB 3237, SD1
RELATING TO AGRICULTURE

Conference Room 211 & Videoconference
10:31 AM

Aloha Chairs Rhoads and Dela Cruz, Vice-Chairs Gabbard and Moriwaki, and Members of the Committees:

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.

HFB recognizes the importance of preventing destructive invasive species from entering the State and how difficult it is to manage those that become established in our islands. We appreciate the difficult work of HDOA and its partners in preventing entry and their efforts to eradicate or control these detrimental animals, insects, weeds, diseases, and other pests.

The livelihood of farmers and ranchers is entirely dependent upon the health and ecological balance of our environment. We understand the need for updated policies and procedures to prevent the spread of these pest species; however, invasive species control is not always straightforward and is rarely easy. Agricultural producers rely on the expertise and assistance of HDOA in its battle to control invasive species because HDOA understands the operations of farmers and ranchers and works cooperatively with them to ensure that they are not put out of business while addressing pest control.

HFB has concerns about parts of this measure; for example, Section 141-3.5(b) and (c), and Section 141-3.6(a) and (b) that would unnecessarily remove authority from HDOA. We respectfully suggest that HDOA retain control of invasive species programs and be adequately funded and staffed to accomplish its mandates. Shifting authority from HDOA to the ISCs, the Hawaii Ant Lab, or the applicable county, will present organizational and management problems and should instead be at the discretion of HDOA if it is unable to develop and implement a control or eradication program itself.

We believe a better solution would be for HDOA to retain control of its responsibilities, with the ability to contract other entities at its discretion, on a case-by-case basis, to develop or carry out control programs.

Thank you for the opportunity to provide our comments and thank you for your continued support of Hawai'i's agricultural community.

SB-3237-SD-1

Submitted on: 2/29/2024 6:56:54 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Redfeather	Testifying for Ka Ohana O Na Pua	Support	Written Testimony Only

Comments:

The Board of Ka Ohana O Na Pua, an agricultural education non-profit founded in 1991 in Kona, stands in full support of this measure.

At this time, we don't think that there should be any cuts in the budget for HDOA in any way. Invasive species must be reined in and giving HDOA more "Authority" and funding support will assist them in moving forward with the tools they need to create the necessary boundaries with business and imports, and continue to make the Hawai'i Biosecurity Framework a reality. Mahalo for your generous support for Hawaii's 'Aina, Hawaii's Farmers, and Hawaii's emerging community food system. Mahalo to Chair Hurd for her bold vision.

SB-3237-SD-1

Submitted on: 2/28/2024 6:15:21 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

I support SB3237 SD1. Please pass this bill

SB-3237-SD-1

Submitted on: 2/28/2024 10:23:59 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Support	Written Testimony Only

Comments:

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1.

Mahalo for your support and the opportunity for citizens to testify.

Bobbie Best, Wailuku

SB-3237-SD-1

Submitted on: 2/28/2024 10:42:56 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Jodi Robinson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Jodi and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intrainland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/28/2024 11:01:49 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannalore Aiwohi	Individual	Support	Written Testimony Only

Comments:

My name is Hannalore Aiwohi and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

My neighbors and I have all invested in traps and lures for the invasive Rhino beetle, while also watching Haleiwa and Waialua towns fall victim. This infestation is changing the landscape of our small towns for years and possibly generations to come. For example, there is only 1 small trap in Kaiaka Park, without lure or bait and obviously unmanned since the trap is filled with leaf/branch rubbish. Meanwhile, the palms lining the edge of the park have all already died. Please act now.

Thank you, Hannalore Aiwohi

SB-3237-SD-1

Submitted on: 2/28/2024 11:12:51 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

Aloha,

I looked up the definition of “agriculture” and found this:

Agriculture: encompasses crop and livestock production, aquaculture, fisheries and forestry for food and non-food products.

Does the Hawaii Department of Agriculture not understand the meaning of “agriculture”? I ask because it certainly seems like they think it means that any type of plant is welcome to be transported and grown anywhere on any island! Come one, come all!

This attitude has equated to rolling out the red carpet to “non-livestock” species like the rhinoceros beetle, fire ants, and others that all love to party big-time in their new homes.

So sadly, since the HDOA has an eventful history of acting like a Welcome Committee instead of the nightclub bouncer, the burden and honorable duty must fall on your shoulders to try to correct and prevent environmental disasters caused by invasive species and noxious weeds.

Please pass SB3237 SD1.

SB-3237-SD-1

Submitted on: 2/28/2024 11:27:27 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Jody Smith	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT SB3237 SD1.

As a retiree of the UH College of Tropical Agriculture, I have been involved in Hawaii agriculture since 1998 and have personally witnessed the pretty much unabated spread of several horrible invasive insects (think fire ants, coconut rhino beetles) and invasive plant species still being sold in nurseries and big box outlets.

Untold man hours have been invested in trying to reduce the threat of these species through CGAPS (coordinating Group in Alien Pest Species) and ISCs (invasive species councils). What a waste of money! No enforcement.

It's PAST TIME to get serious about this problem.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA).

This measure will fill critical gaps in our biosecurity planning and response systems. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

I strongly urge the Committees to PASS SB3237 SD1.

SB-3237-SD-1

Submitted on: 2/28/2024 11:27:32 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
jennifer valentine	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/28/2024 11:28:34 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Support	Written Testimony Only

Comments:

My name is Glenn Choy from Honolulu and I strongly support this bill.

SB-3237-SD-1

Submitted on: 2/28/2024 11:35:26 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

A wise frog (not a coqui) named Kermit once sang that “It’s not easy being green”. He may have been talking about his looks, but his statement was far-reaching.

It is not enough to simply recycle, and to not waste water, and to stop polluting the air and water around us.

It takes courage and conviction and governmental support and resources to battle fierce opponents such as the many extremely invasive species and noxious weeds that have set up shop in Hawaii, and even more that will do so in the future - - if SB3237 SD1 does not pass.

I support SB3237 SD1 and I hope you do as well. Mahalo for your consideration.

SB-3237-SD-1

Submitted on: 2/28/2024 12:18:16 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Carl J. Berg	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I am a professional ecologist working on Kauai since 1990 and have seen first hand the devastating effects of invasive pests.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

Carl J. Berg, Ph.D.

Lihue, Hawaii

SB-3237-SD-1

Submitted on: 2/28/2024 12:35:32 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick Chee	Individual	Support	Written Testimony Only

Comments:

As a resident of Hawai‘i, and wildlife biologist who has worked in invasive species control and prevention, I am in **support of SB 3237**. It is important for the Hawai‘i Department of Agriculture (HDOA), the island Invasive Species Committees (ISCs), and the Hawai‘i Ant Lab (HAL) be able to address priority invasive species in a timely manner. Approving this bill will significantly increase the potential of HDOA, the ISCs, and HAL to address invasive species like Little Fire Ant (LFA) more quickly and efficiently when they are found in areas around the State of Hawai‘i.

Currently the HDOA has the mandate to protect Hawai‘i from the impacts of invasive species but they lack the rules to allow them to stop the sale of goods that are themselves invasive species or are infested with invasive species like HAL or Coconut Rhinoceros Beetle (CRB). This bill, if approved, would give HDOA the ability to stop the sale of these infested goods. By doing so, this would significantly reduce the spread of these priority invasive species and protect both consumers and related commerce that could be impacted by the spread of these invasive species.

Just ask people on Hawai‘i Island what impact LFA is having on their lives. In many places, agriculture workers have a difficult time harvesting without getting stung by LFA raining down on them from the trees and covering them with painful stings. People can no longer enjoy going to some parks without the threat of LFA making the trip one filled with stinging ants. Even people's pets and farm animals are going blind because the LFA repeatedly sting their eyes causing them to cloud over. These are just a few examples of how LFA is impacting Hawai‘i Island residents now. LFA is not established on all parts of every island in the State. If HDOA, ISCs, and HAL can prevent the spread of LFA to areas where they are not, and also quickly work to control and eradicate them where they are new, this would prevent significant harm to all residents and businesses of Hawai‘i and visitors to our islands.

For the above reasons, **I urge you to support SB 3237.**

Mahalo,
Patrick Chee

SB-3237-SD-1

Submitted on: 2/28/2024 1:03:39 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Wat	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou,

This year’s awakening to the importance of invasive species is something to both celebrate and mourn. We’ve seen incredible community action but it has come about because the runaway impacts of invasive species like CRB and LFA are beginning to be felt throughout the islands.

The measures including increased scrutiny on nursery management, are essential to maintaining a Hawai’i that we recognize. Invasive species force crop changes and new expenses on our already pressured farmers. LFA and CRB remove access to vital cultural resources and transform the environment.

Please pass this bill. Regulation of nurseries is essential to prevent the spread of these pests. While it may be a burden on the nurseries, the unmanaged movement of plants and planting materials risks a much more significant burden to community-wellbeing, businesses, tourism and much much more.

Immediate action is essential and I appreciate this legislative attempt to get things started.

Mahalo for the opportunity to testify.

- Joe

SB-3237-SD-1

Submitted on: 2/28/2024 1:35:25 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Darlene	Individual	Support	Written Testimony Only

Comments:

The biggest invasive species regulation that needs to change is to rid us of the mosquitos that are killing our birds.

SB-3237-SD-1

Submitted on: 2/28/2024 1:46:19 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Sofaer	Individual	Support	Written Testimony Only

Comments:

I support this bill because it will help limit the harm caused by invasive species to local communities and the environment. My keiki love to drink fresh orange juice from our yard and I know how special it is that Hawaii doesn't have citrus greening. I want to keep it out via restrictions and inspections. I want to be able to buy nursery plants with confidence that they won't be infested with fire ants. I know firewood is a way insects get moved around and I support requiring heat treatment for imports because it will help protect our forests. Mahalo for your work.

SB-3237-SD-1

Submitted on: 2/28/2024 2:48:37 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana B. Miller	Individual	Support	Written Testimony Only

Comments:

This bill is long overdue. I have lived in Hawai'i for over 30 years and have seen the introduction of many pest through imported goods to include coqui frogs, fire ants, coconut rhinosceros beetle, queensland longhorn beetle and many others. We have a unique native environment with species found nowhere else in the world. The state's efforts should focus on preserving what remains of Hawai'i's native environment and preventing entry of new invasive species and controlling what is already here.

Several years ago, I called one of the DOFAW offices on Hawai'i island to report someone selling Himalayan Ginger, one of the most invasive species ON THE PLANET, at Maku'u Farmers Market and I was told by a state employee that there was no restrictions to selling the plant.

Please pass this measure.

SB-3237-SD-1

Submitted on: 2/28/2024 2:58:04 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Rick Warshauer	Individual	Support	Written Testimony Only

Comments:

The authorities, requirements and expenses in this bill are essential to preserve and protect our agriculture, way of life and environment.

Please pass it; do not dilute it; make it effective at signing.

SB-3237-SD-1

Submitted on: 2/28/2024 2:58:30 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Clemens Mayer	Individual	Support	Written Testimony Only

Comments:

My name is Clemens Mayer and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/28/2024 3:16:31 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Pence	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Deborah Pence and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intrainland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/28/2024 3:18:01 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica dos Santos	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and esteemed Members of the Committees,

I come before you today as a mother, an educator and community advocate deeply invested in the protection of our beloved Hawai'i's natural environment. My name is Jessica dos Santos, and I want to express my strong support for SB3237 SD1.

This bill is crucial for addressing gaps in our biosecurity planning and response systems. It aims to tackle the threat of invasive pests and noxious weeds, which not only harm our native ecosystems but also impact our cultural practices, food security, public health, economy, and the overall well-being of our communities.

As a member of our island communities, I've witnessed firsthand the efforts of local residents to combat invasive pests. However, these efforts are often hampered by a lack of support from government agencies like the Hawai'i Department of Agriculture (HDOA). For instance, the HDOA's failure to regulate the movement of infested plants has led to the spread of pests like the coconut rhinoceros beetle, putting our environment at risk.

We cannot afford to wait for action any longer. We need comprehensive programs for detection, control, and eradication of invasive species. This bill will bring much-needed modernization to our biosecurity systems, offering better protection for our islands and future generations.

I urge the Committees to pass SB3237 SD1 swiftly. Our children, our environment, and our future depend on it. Thank you for considering my testimony.

Sincerely,

Jessica dos Santos

SB-3237-SD-1

Submitted on: 2/28/2024 4:09:56 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Nona b wilson	Individual	Support	Written Testimony Only

Comments:

If we are going to be serious about prevention as opposed to reacting once an invasive species enters our state then we need to get serious and put some pressure behind our laws and create new laws that have severe consequence. We also need to better fund our inspectors and the department so that we are not dealing with the invasives once they are here. Please let's be proactive and stop being reactive. support this legislation.

SB-3237-SD-1

Submitted on: 2/28/2024 4:35:08 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Koa Grabar	Individual	Support	Written Testimony Only

Comments:

Preventing the spread of these invasive and noxious species is crucial not only for preserving our ecosystems but also for saving government resources in the long term. Prevention is often more cost-effective than eradication. Efforts to remove invasive species like coqui frogs, little fire ants, and coconut rhinoceros beetles are not only expensive but also prove to be less than entirely effective. Please support State Bill 3237 and update the Hawai'i State Noxious Weed list!

SB-3237-SD-1

Submitted on: 2/28/2024 4:43:35 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello

Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Nanea Lo and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai‘i Department of Agriculture (HDOA). For example, the HDOA’s failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O‘ahu, which has now spread to Maui and Hawai‘i Island. The HDOA’s lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O‘ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1.

me ke aloha ‘āina,

Nanea Lo, Mō'ili'ili, O'ahu

SB-3237-SD-1

Submitted on: 2/28/2024 5:38:43 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Oppose	Written Testimony Only

Comments:

A great idea for a bill but it's too open-ended. It should specify which species' (by name) it will apply to.

SB-3237-SD-1

Submitted on: 2/28/2024 5:47:31 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Block	Individual	Support	Written Testimony Only

Comments:

I strongly urge the passage of this bill. I'm losing more and more of my fruit to invasive species. Quarantining, licensing nurseries and monitoring invasive species is urgently needed and not updating the Noxious Weed list since 1992 is appalling. We are trying to become for food independent but invasives are majorly holding us back. Please pass this bill.

SB-3237-SD-1

Submitted on: 2/28/2024 5:59:09 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Nancy Harter and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intrainland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify. Nancy Harter

SB-3237-SD-1

Submitted on: 2/28/2024 6:20:23 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Jayne Kerns	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please pass SB3237 SD1 to establish quarantine tools, a nursery licensing system, and streamline rules to help monitor, control, and eradicate high-priority invasive species spreading throughout Hawai'i.

Please also require the Hawai'i Department of Agriculture to regularly update the Hawai'i State Noxious Weed list, which was last updated in 1992.

Thank you for your consideration and care regarding these important issues,

Jayne

SB-3237-SD-1

Submitted on: 2/28/2024 6:01:01 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Kaluna	Individual	Support	Written Testimony Only

Comments:

I fully support a robust State Department of Agriculture to help control and prevent the spread of invasive species. Invasive species are having devastaing effects on our own food security as well as our native habits. Battling invasive species on our own (as individual landowners) is an expensive fight, in terms of finances, time, and man-power. People who are unable to control or even try to control invasive species on their own are left to face the devastating consequences. My husband and I have tried to control little fire ants, rats, slugs/ snails (rat lungworm disease), albezia, umbrella trees, and many other invasive plants on our property as well as on our in-laws (who are over 80 years old). Unfortunately both households have been without treatment/ control for over 2 years since I got pregnant and have been breastfeeding (I do not want to handle hazardous chemicals (like TANGO)), and my husband had to take a job in Kona after his employer of 27 years cut all benefits from employees during a change in ownership. Local families are getting squeezed too hard, and this burden is too large to leave landowners to fight alone. Fire ants, rats, and slugs are invading our home on a regular basis, invasive plants are growing unchecked, and our own food-producing trees and plants have been hit hard by pests (preventing us from having a robust garden). For example, our ulu, citrus, avocado, and kukui nut trees have been attacked by the Queensland Longhorn beetle and are not producing like they used to. The state has a critical role to play that no landowner can do alone.

SB-3237-SD-1

Submitted on: 2/28/2024 7:08:11 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
John NAYLOR	Individual	Support	Written Testimony Only

Comments:

Aloha All,

Strong support for doing everything we can to stop the spread of all current & future invasive species !!!

Mahalo,

JN Makawao

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

*Friday, March 1, 2024 at 10:30 AM
State Capitol Conference Room 211
Honolulu, HI 96813*

**IN STRONG SUPPORT OF SB3237 SD1 –
HDOA INVASIVE SPECIES CONTROL AND ERADICATION**

Aloha Esteemed Chairs, Vice Chairs, and Committee Members,

My name is Darcy Yogi and I am an extremely concerned k̄anaka who has been working in the field of conservation and invasive species management in Hawai'i for over 10 years. I was born and raised in Kailua, O'ahu, graduated from Kamehameha Schools, obtained my BS in Environmental Science from UH Hilo, and my MS in Natural Resources and Environmental Management with a specialty in Applied Terrestrial Ecology. I am testifying in writing today for my overwhelming support for SB3237 SD1.

Through my work, I've had the privilege of working across beautiful 'āina from the summit of Mauna Kea to the freshwater of Kawainui Marsh down to the coastlines of Maunalua Bay and across diverse Pacific and Hawai'i Island communities. Although these spaces are vastly different, the intensifying issue of invasive species has always been a top management priority no matter where you go. With enough invasive species issues to go around, it is imperative that Hawai'i institutes rigorous biosecurity measures. This longtime k̄ahea for better biosecurity has fallen on the deaf ears of the HDOA for much much too long. And this is all while the HDOA has supposedly co-led the State's interagency biosecurity plan.

Prior to human contact, one new plant naturalized every 100,000 years. Today, 12 new plants establish every single year. And that's only what is known as this rate is probably higher given limited data and funding for field surveys. A new pest insect reaches Hawai'i every 18 days on average. With globalization, cargo ships and planes now haul thousands of tons of goods from across the world to Hawai'i in just a single

week. And still even with the authority, HDOA has never adopted rules to prevent the intra-island sale of plants, soil, compost and other plant and garden products infested with invasive species.

After tabling tons of public outreach events, I find it is already hard enough getting citizens to control for the really nasty invasive species on their property let alone asking them to conduct proactive survey and quarantine protocols for all planting purchases. And this is no ding on those citizens as even conservation professionals struggle in tackling invasive species issues as they are very time consuming, labor intensive, and costly.

Finally, the outdated noxious weed list needs to be updated as soon as possible. The last time it was updated was 1992, which was before I was even born. And I cannot even count how many terribly noxious weeds from come in since then. With the modern economy, people can just buy any seed, cutting, or plant straight from the internet and have it shipped right to their doorstep. And there is nothing preventing that from happening. Updating this list is in my opinion THE number one thing HDOA could accomplish with wide-ranging benefits across State agencies and most importantly for the people of Hawai'i whom they should be serving.

Thank you to the Chairs, Vice Chairs, and Committees that have taken this legislation on! We need more accountability in our State and I really appreciate your critical cross-examinations of HDOA this season.

Mahalo nui for your time and hard work on this,

Darcy Yogi

942 Kulaloa Road

Hilo, HI 96720

Email: dyogi2@hawaii.edu

SB-3237-SD-1

Submitted on: 2/28/2024 8:15:16 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Geoffrey Kern	Individual	Support	Written Testimony Only

Comments:

As a grower of coconuts vulnerable to CRB and other diverse trees susceptible to QLB, I have watched for years as waves of scourges cross our fragile food sovereignty systems. This bill is a no nonsense way of contributing towards Hawaii's food self-sufficiency and climate goals; compost products should stay intra-island which will additionally reduce climate impacts; invasive species dept just received a largesse from the legislature in terms of new bureaucracy facilities, now please have this filter down to actual enforcement and eradication; we've seen how quickly these problems like LFA can become systemic without fast response. Fast response is ultimately the key, but the kinds of provisions in this bill are at least a start. I support!

SB-3237-SD-1

Submitted on: 2/28/2024 8:28:15 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
karin omahony	Individual	Support	Written Testimony Only

Comments:

I strongly support Bill 3237

Biosecurity is a huge priority for residents of Hawai'i, and the world. Even if it appears too costly today, it wil only become more costly if we don't take care now.

The threat from noxious weeds and invasive pests like the coconut rhinoceros beetle and little fire ant must be addressed at every level. The public and private organizations cannot adequately address these and other threats without full government support.

Thank you for considering the testimony and the future of our islands and please vote to PASS SB 3237 SD1.

SB-3237-SD-1

Submitted on: 2/28/2024 8:59:40 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Sharde Freitas and I **STRONGLY SUPPORT** SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the

21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to **PASS** SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/28/2024 9:09:08 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelei Tancayo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

I support SB3237 SD1

We need the Hawai'i Department of Agriculture to take action and prohibit the intra and inter island movement and sale of infested plants and soil. Which has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The lack of detection , control or eradicate of this invasive pest, to also include fire ants and other invasive pests has caused intra and inter island spread that leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

Mahalo,

Michelei Tancayo

SB-3237-SD-1

Submitted on: 2/28/2024 10:21:34 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

Just a few weeks ago little fire ants were found at the Punahou Carnival... do I really need to say more? I urge you to PASS SB3237 SD1. MAHALO!

SB-3237-SD-1

Submitted on: 2/28/2024 11:24:09 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Support	Written Testimony Only

Comments:

Aloha legislators, two-lined spittle bugs, fire ants, Himalayan raspberry, sleeping grass, coquis., strawberry guava, etc etc..enough already! Please protect Hawai'i.

mahalo, Cory Harden

SB-3237-SD-1

Submitted on: 2/28/2024 11:53:54 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Ziegler-Chong	Individual	Support	Written Testimony Only

Comments:

Mahalo for considering this support for this bill. I have worked for over 30 years here in Hawai'i with organizations, agencies and communities related to natural resources, agriculture, and aquaculture. A threat common to all businesses and organizations is invasive species. This bill will help through giving teeth to regulations to inspect, identify, control, eradicate, and manage threats that are already here and those who are arriving into our islands every day with imports and travelers. Living here on Hawai'i Island, little fire ant infestations impact keiki, beachgoers, hikers, tourists, agriculture and natural resource workers, and land owners. LFA has drastically altered how people interact with our islands, making it unsafe for many. Everyone in Hawai'i should be concerned about this and support these efforts. These models of control are used in many places worldwide, and Hawai'i's threats are many times greater than most of those places due to its isolation. Hawai'i can become a model of how to tackle this program and this bill is a great first step.

Mahalo.

Sharon Ziegler

SB-3237-SD-1

Submitted on: 2/29/2024 2:43:38 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/29/2024 3:37:04 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
James B Friday	Individual	Support	Written Testimony Only

Comments:

Aloha Senators Dela Cruz, Moriwaki, Rhoads, and Gabbard,

I am writing to support SB 3237 SD1, Relating to Agriculture. Invasive species such as little fire ants, the twolined spittle bug, and the fungi that cause Rapid 'Ohi'a Death plague our agricultural industry and severely damage our environment. By far the most effective way to control invasive species is to avoid bringing them into the state, and avoid spreading them around once they are here. The costs of preventing the spread of invasive species are small compared with the costs of dealing with established pests, weeds, and diseases. Please support our agriculture industries and our environment by supporting this bill. Mahalo for your consideration.

J. B. Friday, PhD (Agriculture, University of Hawai'i)

Hilo, Hawai'i

SB-3237-SD-1

Submitted on: 2/29/2024 7:18:26 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Yeh	Individual	Support	Written Testimony Only

Comments:

I submit this testimony.

Over the last two hundred years Hawaii has been importing species that have had detrimental effects on native ecosystems. We need to do a better job of limiting the import and establishment of invasive species. We need to protect our native ecosystems. The type of damage the Lahina fire has caused is an effect of invasive species affecting fuel loads and supply which allowed for such harsh fires.

Please pass this bill to help the people doing thankless tasks removing invasive species, preventing imports, and attacking new pests.

SB-3237-SD-1

Submitted on: 2/29/2024 7:33:57 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Mialisa Otis	Individual	Support	Written Testimony Only

Comments:

The problem with invasives is only getting worse. It's a little too late to get started but this measure will lessen the impact on community-spread invasive pests population. I support this measure SB3237 SD1. Mahalo

SB-3237-SD-1

Submitted on: 2/29/2024 8:49:05 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Corie Yanger	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Corie Yanger and I am a resident of Volcano on Hawai'i Island. I am writing to express full support for SB3237.

I am very uplifted to hear that, if passed, this bill would establish quarantine tools, a nursery licensing system, and streamline rules to help monitor, control, and eradicate high-priority invasive species spreading throughout Hawai'i. Having worked in conservation for the last 20 years, I have seen, heard, and read about the devastating impacts that invasive species have on Hawai'i's precious native ecosystems and essential resources. I strongly urge you to pass this bill and to continue to protect Hawai'i's incredible species, landscapes, and resources by supporting stronger legislation to prevent the entry and spread of invasive plants, animals, and diseases.

This bill also requires the Hawai'i Department of Agriculture to regularly update the Hawai'i State Noxious Weed list, which was last updated in 1992. Species which have entered Hawai'i have increased dramatically over the last few decades -it makes sense for HDOA to remain committed to updated the list of Noxious Weeds so that businesses and residents can refer to and be aware of the most recent changes.

Mahalo nui for your attention to this matter. I hope to hear soon that SB3237 has been passed.

Respectfully,

Corie Yanger

SB-3237-SD-1

Submitted on: 2/29/2024 9:12:04 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
carolyn auwelo	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Dela Cruz and Moriwaki, Chairs Rhoads and Gabbard,

Hawaii's biosecurity is critically important to the future of Hawaii's agriculture, environment and tourism. Every year new invasive species arrive and further undermine the integrity of Hawaii's fragile ecosystems and the lifeways that depend on them. The actions included in this bill would be significant improvements in Hawaii's biosecurity program and when implemented would do much to protect Hawaii's land and future. Please support this bill. Thank you for the opportunity to testify.

aloha,

carolyn auwelo

SB-3237-SD-1

Submitted on: 2/29/2024 10:01:49 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Waianuhea	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Lorraine Waianuhea and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intrainland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/29/2024 10:16:58 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Eva Anderson	Individual	Support	Written Testimony Only

Comments:

Please pass this bill to support our unique flora and fauna in Hawaii. The noxious weed list is so important for newcomers and the Puna district has both the most newcomers and extremely fertile conditions for invasive species. Hawaii island has so much to save! Please help us protect our ecosystems!

Hawaii island's native forests might be needed to keep native species from other islands from going extinct, so we have a responsibility to protect them. Controlling invasive species is an essential part of this effort.

Mahalo,

Eva Anderson

SB-3237-SD-1

Submitted on: 2/29/2024 10:42:25 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracey A Grove	Individual	Support	Written Testimony Only

Comments:

I think Hawaii needs to be much more vigilant in preventing invasive species from entering our state. This bill is a step in the right direction before more damage is done.

SB-3237-SD-1

Submitted on: 2/29/2024 11:02:50 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Tulang	Individual	Support	Written Testimony Only

Comments:

We support SB 3237 that will provide quarantine tools, a nursery licensing system, streamline rules to help monitor, control and eradicate high priority invasive species spreading throughout our State.

SB-3237-SD-1

Submitted on: 2/29/2024 11:52:52 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Gabriele	Individual	Support	Written Testimony Only

Comments:

Aloha,

Thank you for taking up the very important issue of invasive species. They surround us, much much more than the native species, so they are an integral part of our environment. We can't get rid of all of them or we'd have very little plant or animal life surrounding us. However, there are some invasives that endanger public safety and health, so I think the state needs to take a proactive role in reducing or eradicating them. Over my time on Hawaii Island, in West Hawaii near Kawaihae, two animal species have transformed the place, and not in a good way.

First is the herds of goats which are growing by the day. We see herds of dozens at a time near the roadways including lots of youngsters. They are a traffic hazard and they are eating all the vegetation and causing erosion that stresses our already vulnerable coral reefs. The reefs near Kawaihae are magnificent and deserve protection. Let's eat these goats! Make them into dog food or something! It will be expensive but it's an investment that will pay off over time.

Wild turkeys are also taking over the neighborhoods. They are more comical and mildly annoying compared to the goats, but they don't belong here and they've become quite established in the past 5-8 years. It's time to do something about them before they really overrun the landscape. I was glad to see a hunting season coming up but in neighborhoods, hunting is not that practical near houses. I am no expert but trapping and again, eating them, is the best way to go.

There's a cool website called eattheinvaders.org that shows how this approach has been used elsewhere.

I am a non-resident but I pay State income tax and County taxes on my property so I hope you'll consider my testimony.

Mahalo, Chris

SB-3237-SD-1

Submitted on: 2/29/2024 12:57:27 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Larry Stevens	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Invasive species were a big part of the wildfires last year, and are damaging crops and quality of life, also.

SB-3237-SD-1

Submitted on: 2/29/2024 1:11:02 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Jotis Russell-Christian	Individual	Support	Written Testimony Only

Comments:

This bill is crucial for supporting the Hawaii Department of Agriculture (HDOA) in effectively managing and eliminating invasive species and pests. By facilitating control and eradication efforts, it empowers the HDOA to fulfill its responsibilities in safeguarding local ecosystems and agriculture. The establishment of a plant nursery licensing program enhances oversight, ensuring that plant-related activities align with invasive species prevention. Moreover, the bill's provisions mandating the designation of specific species as pests for control or eradication, along with restrictions on imports and transportation, contribute to a proactive approach. Updating the noxious weed list reflects a commitment to staying ahead of emerging challenges. Overall, these measures demonstrate a comprehensive strategy to protect Hawaii's biodiversity and agricultural interests.

SB-3237-SD-1

Submitted on: 2/29/2024 1:32:27 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Drew Green	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees,

My name is Drew Green and I STRONGLY SUPPORT SB3237 SD1.

This measure will fill critical gaps in our biosecurity planning and response systems, and mitigate the present and future potential impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life of present and future generations.

While communities across the islands are now taking action to detect, control, and eradicate pests in their neighborhoods, these efforts have been frustrated by a lack of sufficient government support, including and particularly from the Hawai'i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intransland movement and sale of infested plants and other commodities has likely contributed to the establishment of the coconut rhinoceros beetle on O'ahu, which has now spread to Maui and Hawai'i Island. The HDOA's lack of comprehensive planning and programming to detect and control or eradicate invasive pests and noxious weeds is now confounding efforts to stop the spread of little fire ants across O'ahu, and leaves all islands at risk of experiencing the devastating consequences of these and other invasive species.

We simply can no longer wait for the HDOA to take the actions we need to comprehensively address the real and present threat of invasive pests and noxious weeds. Comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds, are needed now. This measure will help to bring our biosecurity systems into the 21st century, and give our communities a much better chance at protecting our islands and future generations from the wide-ranging harms of invasive species.

Accordingly, I respectfully but strongly urge the Committees to PASS SB3237 SD1. Thank you for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/29/2024 2:21:00 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Beppie Shapiro	Individual	Support	Written Testimony Only

Comments:

I am in full support of this bill which will help the DOA and Hawaii to control the invasive plants and animals which threaten our environment, our health, and/or our enjoyment of life. Thank you for this opportunity to present testimony.

SB-3237-SD-1

Submitted on: 2/29/2024 2:23:48 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Melzer	Individual	Comments	Written Testimony Only

Comments:

Citrus greening disease, also known as huanglongbing (HLB), has emerged as one of the most destructive diseases of citrus. Florida's citrus industry, which was one of the most prosperous and advanced in the world, has been crippled by this disease. Our orange juice now mostly comes from Brazil, and houses are growing out of Florida's citrus groves. HLB is now on the doorstep of California's central valley (the USA's next largest citrus producing region) and is present in all other citrus producing states EXCEPT Arizona and Hawaii. It is only a matter of time before the disease reaches Arizona. There is, however, an opportunity to safeguard a resurgent citrus industry in Hawaii by 1) preventing the introduction of infected materials and 2) diligent surveys for the disease across the state. With the assistance of federal funding, my program has been able to do the latter. We need help from the State of Hawaii to do the former. Being free of HLB and other important citrus diseases not only has advantages for fruit production, but perhaps also nursery production and citrus germplasm protection in the future. A lot of resources, both \$ and land, have recently been invested in Hawaii's citrus industry, most notably in central Maui. I would strongly urge reinstating the citrus and federal quarantine protections that were present in SB3237, but apparently absent in SB3237_SD1. If the Florida citrus industry is collapsing due to HLB, I don't imagine Hawaii's will fare much better. Mahalo for reading.

SB-3237-SD-1

Submitted on: 2/29/2024 7:28:15 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Raymond K Ollero Jr	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard, and Members of the Committees,

My name is Raymond Ollero and I STRONGLY SUPPORT SB3327 SD1, to secure a just and resilient future for our water resources and by extension, our islands as a whole.

As our climate crisis inevitably worsens, and our water resources become ever more scarce, it is critical that our precious wai is managed as a public trust resource, as envisioned in our Constitution and Water Code - and protected from the legacy of corporate water hoarding and waste that continues to this day.

Unfortunately, longstanding political vulnerabilities have hampered and will continue to hamper the Water Commission in its work to implement our Water Code and uphold the public trust in our water resources. Currently, a Governor appointee - the Board of Land and Natural Resources Chairperson - chairs the Commission. Another Governor appointee, the state Attorney General, is the sole entity allowed to provide the Commission with legal advice. This has raised and continues to raise serious concerns regarding politically connected special interests influencing the Governor and his appointees, to impede the work of the Commission and its staff.

By requiring the Commission to choose its own Chair, select its own executive director, and allowing it to retain its own legal counsel, this measure will provide important layers of political insulation that the Commission will need to fulfill its critical mission in a meaningful and timely manner. These provisions, as well as a performance review process to ensure an objective, apolitical basis for staff employment decisions, would also allow Commission staff to fulfill their constitutional and statutory obligations without the fear of political retribution.

Accordingly, I respectfully urge the Committees to PASS this measure. Mahalo nui for the opportunity to testify.

SB-3237-SD-1

Submitted on: 2/29/2024 5:12:27 PM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimberly De Souza	Individual	Support	Written Testimony Only

Comments:

Aloha kākou,

My name is Kimberly De Souza and I am writing in strong support of SB3237.

I firmly believe that more action **needs** to be taken to prevent the spread of invasive species being brought into the Hawaiian islands and those that currently exist here and continue to spread.

I reside on Hawai‘i island in Kailua Kona and being in the conservation industry, it is evident that not enough is being done to stop the spread of well known invasive species, especially in the nursery and garden stores. Plants such as lantana, bromeliads, monstera, asperagus fern, and more invasives (too many to name) are being sold freely without any warning to homeowners to prevent their spread. In fact, I have seen ginger rhizomes being sold at the Kona airport gift shop! How can we allow such invasive plants to be associated with our islands while conservationists are constantly battling them.

With all the data and knowledge available of how invasive some of these plants are to our dwindling native forest ecosystems - there should be more restrictions/inspections imposed on nurseries and garden stores from importing and selling these invasive plants that are so damaging to our native environment.

There are also invasive pests such as the rhinoceros beetle, little red fire ants, jackson chameleons, etc which hitchhike on imported plants or are brought in as pets (jackson chameleon). Overall, stricter inspections and restrictions are needed to prevent such disastrous spreads.

On top of that, more public education in nurseries and garden stores would be helpful to encourage the eradication of invasive plants and pests. Plantpono.org is a great resource on what plants are invasive!

I am glad this topic is being addressed finally! I really hope some better restrictions are imposed so that we can one day feel that we are winning the battle against invasives in Hawaii and not just always finding out new invasives that are out of control and that we now have to consider and battle them along with all of the others. We need to **prevent** the spread!

Mahalo nui loa for your consideration.

SB-3237-SD-1

Submitted on: 3/1/2024 6:46:33 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
kathleen mishina	Individual	Support	Written Testimony Only

Comments:

I support this bill to control invasive species as an ongoing effort by BIISC to preserve our fragile island environment.

SB-3237-SD-1

Submitted on: 3/1/2024 6:47:39 AM

Testimony for JDC on 3/1/2024 10:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Ano Hanamana	Individual	Support	Written Testimony Only

Comments:

I support this bill. We must protect Hawaii from all these new species that are throwing our food systems out of balance.