

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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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 House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Wednesday, March 20, 2024
2:00 PM

State Capitol, Conference Room 325 & Via Videoconference

In consideration of
SENATE BILL 572 SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO AGRICULTURE

Senate Bill 572 Senate Draft 2, House Draft 1 amends Chapter 150A, Hawai'i Revised Statutes (HRS), by authorizing the Hawai'i Department of Agriculture (HDOA) to declare a biosecurity emergency in certain circumstances with the governor's approval and outlines terms for carrying out this authority. **The Department of Land and Natural Resources (Department) supports this measure and provides the following comments.**

The Department recognizes the importance of including language directing emergency resources for rapid response efforts to new pests. In 2002, HDOA conducted a series of inspection "blitzes" at the Kahului Airport to perform a risk assessment on the movement of invasive alien species. The assessment results determined that, on average, one new insect or plant disease arrives daily. That assessment took place over twenty years ago. Since then, Hawai'i has succumbed to the arrival of Coconut Rhinoceros Beetle, Coffee Leaf Rust, Varroa Mite, and the devastating impacts of Rapid 'Ōhi'a Death. With these significant pest arrivals, no State mechanism in place would allow the Department of Agriculture to respond and address new detections rapidly.

Currently, the ability to declare an emergency concerning invasive species does exist with the addition of the term "environment" in Chapter 127A, Hawai'i Revised Statutes (HRS), so threats or damage to the environment may be one of the criteria for declaring an emergency or disaster. Since the inclusion of this language, there have been twelve emergency proclamations related to Axis deer in Maui. This measure being considered could provide more explicit authorities for HDOA and the Governor to declare and act on a new pest incursion to the State, but these authorities could be carried out by amending

Section 141-3, HRS, which refers to the recommendation proposed by the Coordinating Group on Alien Pest Species in their testimony from the February 12th Agriculture and Environment Committee hearing to amend subsection (c) of Section 141-3, HRS, so that it could apply in emergency circumstances immediately and without the time-consuming pest designation process.

Mahalo for the opportunity to provide testimony 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
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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

MARCH 20, 2024
2:00 PM
CONFERENCE ROOM 325 & VIDEOCONFERENCE

SENATE BILL NO. 572, SD2, HD1
RELATING TO AGRICULTURE

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

Thank you for the opportunity to provide testimony on Senate Bill No. 572, SD2, HD1 relating to agriculture. This bill authorizes and specifies conditions under which the Department of Agriculture (Department) may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms; and broadens the objectives and general actions of the Biosecurity Program.

The Department appreciates the incorporation of suggestions provided in prior testimonies and supports this measure.

While HRS 91-3 contains provisions for emergency rulemaking, the Department believes that the ability to declare a biosecurity emergency, with the Governor's approval, is a substantial step in being able to acquire the necessary resources to



rapidly respond to new pest introductions while being mindful of the Department's limited resources.

Thank you for the opportunity to testify on this measure.



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March 20, 2024

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY ON SB 572, SD2, HD1
RELATING TO AGRICULTURE

Conference Room 325 & Videoconference
2:00 PM

Aloha Chair Tarnas, Vice-Chair Takayama, and Members of the Committee:

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

The Hawai'i Farm Bureau supports SB 572, SD2, HD1, which Authorizes and specifies conditions under which the Department of Agriculture may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms and broadens the objectives and general actions of the Biosecurity Program.

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

Proper funding for HDOA is critical for protecting Hawai'i's environment and economy and the health and lifestyle of its people through the support of invasive species prevention, control, research, outreach, and planning. HDOA's Biosecurity Program is essential to fully execute a comprehensive strategy to address the increasing number of invasive species entering the State. HDOA needs to be provided the necessary resources to help prevent new invasive species from entering Hawai'i and to control and hopefully eradicate invasive species that are already established in Hawai'i so we don't ever have to declare a Biosecurity emergency.

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

HAWAII HARBORS USERS GROUP

Testimony for SB 572, SD2, HD1, Relating to Agriculture
Before the House Committee on Judiciary and Hawaiian Affairs

March 20, 2024

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Hawaii Harbors Users Group is respectfully **opposed** to SB 572, SD2, HD1, relating to agriculture.

This bill authorizes and specifies conditions under which the Department of Agriculture may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms. It broadens the objectives and general actions of the Biosecurity Program.

Hawaii's economy, and virtually every aspect of life in our islands, is dependent upon our commercial harbors to ensure the continued flow of cargo. The vast majority of Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the state support dependable and efficient cargo transportation and handling to service our residents and businesses.

Our primary concern is that this bill's broad emergency declaration authority is overbroad and risks impeding harbors operations.

Thank you for considering our testimony.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
Wednesday, March 20, 2024 AT 2:00 P.M.

To The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
Members of the Committee on Judiciary & Hawaiian Affairs

SUPPORT SB572 SD2 RELATING TO AGRICULTURE

The Maui Chamber of Commerce **SUPPORTS SB572 SD2**.

The Chamber is aware that there are many pressing issues that need funding, but invasive species directly affects food production and natural resource conservation.

We note the powers authorized by this measure will allow the Department of Agriculture to more effectively prevent and mitigate the infestation and spread of pests in the State.

As a vulnerable island state, we must take measures to secure ports-of-entry and prevent the negative effects of invasive species on the environment. We support the investment in invasive species preventative measures, and efforts to implement requirements for importers and follow up with fines. This effort will help the economy and the health of the land in the long run, and curb added expenses for agricultural entities to address invasive species after they arrive and spread.

We do have concerns that the Department of Agriculture requested that the “*requirements of agricultural commodity importers be removed and incorporating some of those requirements into the Department of Agriculture’s public education requirements*” without any explanation. We agree that education regarding invasive pests is important. However, we strongly encourage this language be returned to the bill to encourage stricter controls:

“(6) Require agricultural commodity importers to:

_____ (A) Report to the department any pests that are known or suspected to be present in imported products;

_____ (B) Protect and contain all imported products to prevent an infestation of pests; and

_____ (C) Ensure that no product known or suspected to be infested by pests is offered for sale or exhibition.”

For these reasons we **support SB572 SD2** and respectfully request the deleted language be returned to the measure.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui’s unique community characteristics.



HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair

Wednesday, March 20, 2024 2:00 PM
VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

RE: SB572 SD2, HD1 RELATING TO AGRICULTURE

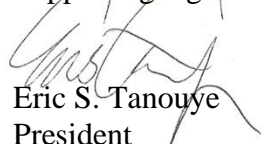
My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 350 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

The Hawaii Floriculture and Nursery Association (HFNA) **SUPPORTS Senate Bill 572 SD2, HD1**

We believe this bill will help the Hawaii Department of Agriculture (HDOA) to control invasive species. Currently we are seeing invasive species becoming an increased risk with examples such as Coconut Rhinoceros Beetle. This measure will not overburden HDOA, while providing necessary tools to control invasive species.

If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 2627, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,



Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association

SB-572-HD-1

Submitted on: 3/19/2024 9:00:46 AM

Testimony for JHA on 3/20/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angelica Melone	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB572 SD2 which allows the Department of Agriculture to declare a biosecurity emergency in certain circumstances and with the approval of the Governor and outlines the terms of a declared biosecurity emergency.

As a vulnerable and isolated island state, we must take measures to secure ports of entry and prevent the negative effects of invasive species. Species such as the two-lined spittlebug will be devastating not only to cattle ranchers but to our local goals for increased food security. The ability to declare a biosecurity emergency will allow for stricter regulations on imports facilitate better compliance and minimize future infestation by proper documentation and quarantine of facilities and locations known to be infested. Mahalo for the opportunity to testify on this very important matter.

SB-572-HD-1

Submitted on: 3/19/2024 9:51:01 AM

Testimony for JHA on 3/20/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

A NEEDED, GOOD IDEA.

MAHALO!