

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

ON THE FOLLOWING MEASURE:

H.B. NO. 2758, H.D. 2, RELATING TO AGRICULTURE.

BEFORE THE:

SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT AND ON
TRANSPORTATION AND CULTURE AND THE ARTS

DATE: Tuesday, March 12, 2024 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 224 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Jennifer D. Waihee-Polk or Bryan C. Yee, Deputy Attorneys
General

Chairs Gabbard and Lee 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 8); and (2) includes the Invasive Species Committees in the definition of "agent of the department," authorized to take certain regulatory actions as an agent of the Department of Agriculture under chapter 152, HRS (section 20, page 79, line 21, through page 80, line 3).

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.

We recommend that the bill be revised as follows:

- Section 4, at page 13, line 2, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, lines 7-8, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, line 17, to page 14, line 4, remove the definition of "invasive species committee";
- Section 5, at page 14, lines 8-10, revise as follows : ". . . or[~~7~~] applicable county[~~, applicable invasive species committee as defined in section 141-3.5(e), or the Hawaii ant lab~~]";
- Section 5, at page 14, line 19, revise to read as follows: ". . . or[~~7~~] county[~~, invasive species committee, or Hawaii ant lab,~~]" ;
- Section 5, at page 15, lines 9-10, remove "employee of the invasive species committee, employee of the Hawaii ant lab,";
- Section 5, at page 15, lines 11-12, revise to read as follows: ". . . any agent authorized by the department or[~~7~~] county [~~, invasive species committee, or Hawaii ant lab~~]";
- Section 5, at page 15, line 20, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 5, at page 16, lines 5-6, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 20, at page 79, line 21, to page 80, line 3, amend the definition of "agent of the department" to read as follows:

"Agent of the department" means [~~:(1) The applicable invasive species committee; or (2) Any other~~] any person [~~, acting~~] authorized to act on behalf of the department of agriculture.
- Section 20, at page 80, lines 7-8, remove definition of "invasive species committee."

Thank you for the opportunity to provide these comments.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

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

**BEFORE THE SENATE COMMITTEES ON TRANSPORTATION AND CULTURE AND
THE ARTS AND AGRICULTURE AND THE ENVIRONMENT**

**MARCH 12, 2024
3:00 PM
CONFERENCE ROOM 224 & VIDEOCONFERENCE**

**HOUSE BILL NO. 2758, HD2
RELATING TO AGRICULTURE**

Chairs Lee and Gabbard, Vice Chairs Inouye and Richards and Members of the Committees:

Thank you for the opportunity to provide testimony on House Bill No. 2758, HD2 relating to agriculture. This bill 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 and 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 but respectfully opposes this bill. This bill will require extensive legal review to ensure clarity and consistency, in addition to substantial changes to Hawaii Administrative Rules to implement. The Department also notes funding has not been appropriated to support the intent of the bill. To fully support the intent of this Bill, the Department would need

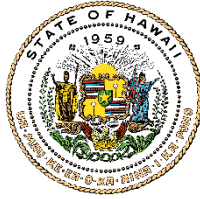


the funding for the following: 1) Establish an entire new Branch to accommodate Plant Nursery Licensing Program with a statewide CIP budget for facilities being approximately \$12.5 million, with staffing and operational funds of \$8.3 million. 2) The Plant Quarantine and Plant Pest Control Branches 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 \$18 million, with staffing and operational funds of \$31.2 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. While the costs are provided to give an idea of the expected costs, the department prioritizes the items in the Governor's executive budget submitted and legislative package. Additionally, should this bill move forward, the Department suggests using SB3237, SD2 as the vehicle to move this measure forward as it has already addressed some of the Department's initial concerns. The information provided are to give an idea of expected costs, the department prioritizes the items in the Governor's executive budget submitted and legislative package.

Thank you for the opportunity to testify on this measure.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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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
TRANSPORTATION AND CULTURE AND THE ARTS
and
AGRICULTURE AND ENVIRONMENT

Tuesday, March 12, 2024
3:00 PM

State Capitol, Conference Room 224 and Via Videoconference

In consideration of
HOUSE BILL 2758 HOUSE DRAFT 2
RELATING TO AGRICULTURE

House Bill 2758 House Draft 2 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:

HB 2758 Action	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
Proposed 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.



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March 12, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

**TESTIMONY ON HB 2758, HD2
RELATING TO AGRICULTURE**

Conference Room 224 & Via Videoconference
3:00 PM

Aloha Chairs Gabbard and Lee, Vice-Chairs Richards and Inouye, 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.



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

March 12, 2024

3:00 PM

Conference Room 224

In **SUPPORT** of **HB2758 HD2**: RELATING TO AGRICULTURE

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS HB2758 HD2**, 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, continue to 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, the lack of regulatory strategies and tools 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.



SIERRA CLUB OF HAWAI'I

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



The Senate
Committee on Transportation and Culture and the Arts
Committee on Agriculture and Environment
Tuesday, March 12, 2024
3:00 PM Conference Room 224
State Capitol

Testimony in Support of HB2758 HD2

Aloha Chairs Lee and Gabbard, Vice Chairs Inouye and Richards, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) is **in strong support of HB2758 HD2 *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 Hawai'i Department of Agriculture (HDOA), and assist HDOA in addressing priority pests. HB2758 HD2 addresses gaps in Hawaii's biosecurity. We all agree that HDOA is under-resourced and would benefit from additional funding and staff. However, HB2758 HD2 contains many provisions that will advance Hawaii's biosecurity without requiring significant new expenditures.

In addition, we understand that Legislators, HDOA, and other stakeholders are working to identify priorities set out in this bill that HDOA could carry out given budget realities. We hope the Committees will move this bill forward to allow these discussions to continue. In the spirit of this cooperation, we provide the following comments and suggestions.

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

Among many other low cost, high impact amendments made by HB2758 HD2, we highlight the following:

Protecting public health and welfare. Only HDOA can stop or restrict the movement of organisms or objects to prevent the introduction or spread of invasive species or pests within Hawai'i. Counties, the Invasive Species Committees, business owners, and residents can use chemicals or other treatments to control invasive species infestations but **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 HB2758 HD2 recognizes that we all rely on HDOA to

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))

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. However, we are concerned that in one particular place, this change may need additional refinement so that it is crystal clear that HDOA may take emergency action to address an incipient infestation of a pest **before** the pest has a chance to spread and show that it adversely affects native species, the environment, or other societal values. To ensure that effects and likely negative impacts to native species and the environment are included as reasonable findings that may allow HDOA to proceed with an expedited course of action, CGAPS respectfully requests that this Committee make a small adjustment in the language on page 11, lines 14 through 20, which currently reads:

(c) Notwithstanding subsection (a), if the department finds the incipient infestation of a pest that has an adverse effect on native species or the environment or that is injurious or deleterious or that is likely to become injurious or deleterious to the public health and welfare, private property, or the agricultural, horticultural, aquacultural, or livestock industries of the State without immediate action, it may proceed

So that it reads as follows:

(c) Notwithstanding subsection (a), if the department finds the incipient infestation of a pest that [~~has an adverse effect on the environment or that~~] is injurious or deleterious or that is likely to become injurious or deleterious to native species, the environment, public health and welfare, private property, or the agricultural, horticultural, aquacultural, or livestock industries of the State without immediate action, it may proceed

Protecting Hawaii's forests with common sense firewood requirements. HB2758 HD2 closes another biosecurity gap by addressing the importation of firewood which is currently under-regulated as 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 the common sense firewood heat treatment requirements proposed beginning on page 34, line 17. This leaves Hawai'i in the vulnerable position as one of the few states that will take the low-quality, untreated firewood. Requiring heat treatment prior to importation into Hawai'i is yet another sensible, low-cost, and high-reward regulation that should have been implemented several years ago when federal regulations related to firewood were repealed. The proposed requirements do not apply to firewood harvested in Hawai'i.

Protecting citrus through effective enforcement of federal quarantines. 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. HB2758 HD2 closes this huge hole in Hawaii’s biosecurity framework. Beginning on page 37, line 20, through page 38, line 15, it prohibits the domestic importation into Hawai’i of items that the United States Department of Agriculture (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 Hawai’i, so restricted material from federally quarantined areas is able to enter Hawai’i.

Hawai’i 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 around the world, 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 quarantined by USDA from moving interstate into Hawai’i 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)) However, 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 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 modifying the language on page 38, lines 1 through 4, to read as follows (additions in bold; deletions are struck through):

- (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

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

pest, [if moved interstate from an area regulated by a state or federal quarantine,] shall not enter the State;

Clarifying that selling pest-infested plants is prohibited. Section 16 of HB2758 HD2 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 a civil penalty for selling plants infested with a known pest. This could be accomplished by adding a new subsection on page 61, between lines 2 and 3, as follows:

“(g) Any person who knowingly sells a plant designated by the department as a restricted plant or a noxious weed, or a plant that is infested or infected with a pest shall be fined not more than \$ _____ for each separate offense. Any action taken to impose or collect that penalty shall be considered a civil action.”

Designating the SPRO as a decision maker for invasive species. Throughout HB2758 HD2, the term “State Plant Regulatory Official” is used and it is defined on page 40, lines 19 and 20, as “the state plant regulatory official for the State, or the official’s designee.” In some cases, the bill takes authority given to the “Chief of the Plant Quarantine Branch” (chief) in HDOA’s regulations and makes the decision-maker the “State Plant Regulatory Official.”

Each state and territory has a State Plant Regulatory Official. In Hawai‘i, the State Plant Regulatory Official is designated by the Chairperson of HDOA (Chairperson). Typically, it is the Plant Industry Administrator (Administrator), but that is not a requirement. We cannot imagine any situation where the Chairperson would designate a person who is not an employee of HDOA as the State Plant Regulatory Official. It just wouldn’t make sense. The chief (who is the Plant Quarantine Branch Manager) is a civil service position who is supervised by the Administrator. The chief position has been vacant since May 2019, and once a permanent chief is hired that person could stay in that position for years, as Chairpersons change with gubernatorial elections. The authorities set out in HDOA’s pest-prevention statutes are serious and critically important authorities that can lead to the seizure or destruction of private property that is prohibited, restricted, or pest-infested. It is appropriate that the Chairperson designate the appropriate official to carry out those authorities. While typically, the State Plant

Regulatory Official is the Administrator, the Chairperson could appoint the chief if she finds that person to be the appropriate official. The State Plant Regulatory Official could also designate the chief to carry out certain authorities if he or she finds it appropriate. However, the Chairperson should have the final authority over how the authorities are carried out. Therefore, changing the decision maker to the State Plant Regulatory Official provides the Chairperson that needed oversight.

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 HB2758 HD2 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 HB2758 HD2 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 HB2758 HD2 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 Hawai'i 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 O'ahu 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 on 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.”

We note that there have been concerns related to the inclusion of the island-based Invasive Species Committees (ISCs) and the Hawai'i Ant Lab (HAL) in the amendments made to the noxious weed and pests for control or eradication sections. We hope the ongoing discussions between the stakeholders, led by Legislators, can result in a solution.

Nursery Program

An important amendment made by HB2758 HD2 is the establishment of a nursery licensing program for plant nurseries in part III, which begins on page 16, line 21. 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 Hawai'i 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.

Hawai'i urgently needs a program to communicate with 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 last month 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 Hawai'i 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, and other nurseries, 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. Further, HDOA does not have or maintain a list of all nursery or nursery-related businesses, making communications and regulation of this sector extremely difficult.

We support the ongoing work, led by Legislators, to develop a nursery program for Hawai`i that will reduce the spread of pests and that can be implemented given the budget realities of HDOA and the State. We believe it is possible to develop a nursery program that will allow HDOA to quickly communicate pest alerts, regulatory information, or Best Management Practices (BMPs) with these businesses.

Technical And Correcting Amendments

1. We respectfully suggest that the list of pests added to chapter 150A, HRS, by section 8 beginning on page 29, line 1, and ending on page 33, line 2, be omitted. Currently, under the definition of “pest” in section 150A-2, HRS, a species must be designated as a pest by the Board of Agriculture. Unfortunately, the Board does not have a process to designate a species as a pest and has never done so. This has resulted in confusion as to what qualifies as a “pest”. The amendment made to the definition of “pest” on page 41, lines 1 through 9, clarifies the definition of pest and we believe it makes the list of pests set out in the amendment made by section 8 unnecessary.

2. Although the language on page 48, lines 3 through 10 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;

HB2758 HD2 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. We believe the continuing discussions on this bill and its companion bill will result in a modified bill that, in light of budget realities, will close critical gaps in Hawaii’s biosecurity.

Mahalo for the opportunity to support HB2758 HD2 and for consideration of our testimony.

Aloha,

A handwritten signature in blue ink, appearing to read 'C. Martin'.

Christy Martin
CGAPS Program Manager

A handwritten signature in blue ink, appearing to read 'P.S. Easley'.

Stephanie Easley
CGAPS Legal Fellow



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 Transportation and Culture and the Arts
Committee on Agriculture and Environment

Testimony by
Hawaii Government Employees Association

March 12, 2024

H.B. 2758, H.D. 2 – RELATING TO AGRICULTURE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly opposes H.B. 2758, H.D. 2 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 can generally support the intent of H.B. 2758, H.D. 2 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 serious concerns due to the potential impact it will have on the department and its current civil service employees. This proposed legislation removes authority and responsibility from the Department of Agriculture and allows 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 H.B. 2758, H.D. 2.

Respectfully submitted,

Randy Perreira
Executive Director



**THE SENATE
KA 'AHA KENEKOA
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

**Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice Chair**

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**Senator Mike Gabbard, Chair
Senator Herbert M. "Tim" Richards, III, Vice Chair**

**Tuesday, March 12, 2024
3:00 PM
Conference Room 224 & Videoconference
State Capitol
415 South Beretania Street**

RE: HB2758 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) **STRONGLY OPPOSES House Bill 2758.**

This bill seeks to burden the Department of Agriculture with more mandates, while not giving any additional staffing or funding for implementation.

We would instead ask that you allow HDOA to utilize their staff and resources on preventing new pests from entering and bringing back previous pest management programs focused on reducing little fire ants plus other pests in agricultural production areas.



Increasing funds to Hawaii Ant Lab and the Hawaii Invasive Species Council may help but these are not replacements for the Plant Pest Control Branch or Plant Quarantine. They are not Government agencies, while HDOA is the authority and provides the regulatory and technical guidance. We respectfully ask that HDOA be funded as the core to all programs.

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 22, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,

Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association



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: 03/11/24

TO: AEN Chair Gabbard, AEN Vice Chair Richards, TCA Chair Lee, TCA Vice Chair Inouye and AEN/TCA Committee Members DeCoite, Rhoads, Awa, Elefante, Kanuha

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Comments on HB2758 HD2 Relating to Agricultural Biosecurity

Dear Chair Gabbard, Chair Richards and Committee Members,

On behalf of the Directors of the Hawai'i Forest Industry Association (HFIA), this testimony is for the purpose of suggesting appropriate changes to HB2758 HD2 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 (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, lines 15, 16, 17 and 18) lists "public health and welfare, private property, or the agricultural, horticultural, aquacultural, or livestock industries of the State;" and 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 to include "commercial forestry" in this list.

Section 20, Subsection 4, the amended definition of "noxious weed", lines 7 to 17, should also include "commercial forests" in the list of products damaged or injured by these invasive weeds.

The HFIA hopes that you will seriously consider amending the language of HB2758 HD2 to include commercial forests/commercial forestry, which may also be 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
Directors: Jeremy Campbell, Aaron Hammer, Nicholas Koch, Michael Sowards, Aileen Yeh



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEES ON
AGRICULTURE AND ENVIRONMENT and TOURISM AND AGRICULTURE AND ENVIRONMENT
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 224
Tuesday, March 12, 2024, 3:00 PM**

To The Honorable Senator Mike Gabbard, Chair
The Honorable Senator Herbert M. "Tim" Richards, III, Vice Chair
Members of the Committee on Agriculture and Environment
To The Honorable Senator Chris Lee, Chair
The Honorable Senator Lorraine R. Inouye, Vice Chair
Members of the Committee on Transportation and Culture and The Arts

COMMENTS ON HB2758 HD2 RELATING TO AGRICULTURE

The Maui Chamber of Commerce would like to share our COMMENTS on HB2758 HD2.

The Chamber agrees with the legislature in that invasive species collectively present one of the single greatest threats to Hawaii's economy and natural environment, its native species, and the health and lifestyle of Hawaii's people. Impacts of invasive species have been severe, negative, and expensive and have included serious habitat degradation, extinction of native species, increased wildfire risk, increases in the cost of agriculture and livestock production, and many other impacts.

We strongly believe one of our biggest challenges in this island state has been the transfer of invasive species with the sale of plants from island to island. This, along with the importation of plants that curtail agricultural inspections, expands opportunities for these invasive species to take hold where mitigation measures can no longer be possible and can change our environment, economy, and social wellbeing. We would like to see funding focused on additional inspectors and reviewing options for quarantining plants prior to shipping interisland to ensure they are not sent with invasive species.

On Maui, we appreciate the work of the Maui Invasive Species Committee and their tremendous efforts in eradicating invasive species. We feel more collaboration between the HDOA and invasive species committees could be helpful. That said, we would like to see the Hawaii Department of Agriculture (HDOA) keep their control of the invasive species plans and programs but work with the county invasive species committees on specific island concerns. Invasive species committees should be able to submit augmented plans for the HDOA to review and incorporate. Additionally, would like to see the power to enter private property kept with the HDOA, but think the HDOA should provide training to and be able to quickly contract out or deputize the county invasive species committees when urgent action is needed and the HDOA does not have the manpower available to quickly address and mitigate invasive species.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HB2758 HD2
March 12, 2024
Page 2.

Lastly, we encourage the legislature to work with the nursery, agriculture, and plant industry in the development of some aspects of this bill prior to its passage. We would like to ensure the list of invasive species contains appropriate related actions in terms of quarantines, eradication, etc. We are also concerned with the introduction of a new nursery license and its impacts on businesses. We again see this as an opportunity for the legislature to work with the industry to explore options on licenses and fees and come together on an appropriate accountability program.

For these reasons, we are providing **COMMENTS on HB2758 HD2.**

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.



Testimony Before The
Senate Committee on Agriculture & Environment (AEN)
Senate Committee on Transportation & Culture & the Arts (TCA)
IN SUPPORT OF HB2758 HD2
March 12, 2024, 3:00PM, Room 224 & 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 MOMONA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

KUA strongly supports HB2758 HD2 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 HB2758 HD2 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** HB2758 HD2. Mahalo for the opportunity to support this important issue.

Aloha ‘Āina Momona no nā kau ā kau.



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Kauai

Aloha Chairs Gabbard & Lee, Vice Chairs Richards & Inouye, and Members of the Senate Agriculture and Environment & Transportation and Culture and the Arts Committees,

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports HB2758.**

This bill tackles the pressing issue of invasive species and pests, which pose a significant threat to our agricultural industry. The control and eradication of these destructive organisms are crucial for the sustainability and success of our farming communities.

The establishment of a plant nursery licensing program outlined in this bill is a much-needed step towards better regulation and oversight of the industry. This program will help ensure that nurseries adhere to best practices and implement appropriate measures to prevent the spread of invasive species and pests. By licensing nurseries, we can protect our farms from the unintended consequences of introducing harmful organisms into our fragile ecosystems.

Moreover, the requirement for the Department of Agriculture to designate certain species as pests for control or eradication demonstrates a proactive approach towards the management of invasive species. An additional consideration is to establish a white-list for plant imports versus only a black-list of species of known concern.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF

Council for Native Hawaiian Advancement
91-1270 Kinoiki St., Bldg. 1
Kapolei, HI 96707

Hawai'i State Senate
Committees on Agriculture and Environment &
Transportation and Culture and the Arts
HB 2758 – Relating to Agriculture

RE: Strong support of HB 2758

March 12, 2024

The Council for Native Hawaiian Advancement (CNHA) writes in **strong support of HB 2758**. 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).

HB 2758 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 HB 2758**.

Me ka ha'aha'a,

Madelyn McKeague
Policy Manager, CNHA

HB-2758-HD-2

Submitted on: 3/8/2024 4:35:32 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Ka Ohana O Na Pua stands in full support of HB2758 HD2 that will give HDOA the tools it needs to effectively facilitate the eradication and/or control of invasive species in hte Hawaiian Islands. Ka Ohana O Na Pua was founded in Kona in 1991 and has been delivering agricultural education keiki to kupuna to the community since 2008.

Limits on imports, plant nursery licensing, and upating the noxious weed list are all pieces of the invasive species program puzzle that must be put together for the whole picture of a more vibrant agricultural system to appear. The nursery industry for too long has been the epicenter of invasive species introductions and we the public and farming community deal with the consequences of that by losing one crop at a time when we should be rebuilding our local food system and limiting imports. Please give HDOA your full support in this very important Session. Mahalo!

HB-2758-HD-2

Submitted on: 3/11/2024 1:09:57 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Kaaumoana	Testifying for Hui Hoomalu i ka Aina	Support	Written Testimony Only

Comments:

Hui Hoomalu i ka Aina was formed in 1985 to address threats to cultural resources and practices.

We are fishermen, weavers, hunters and farmers.

We support this legislation which intends to protect our native things from the threats of invasives and sets a good path forward for this purpose.

Please pass HB2758HD2.

Mahalo

Makaala Kaaumoana



Senate Committee on Agriculture and Environment and
Senate Committee on Transportation and Culture and the Arts

Date: March 12, 2024
Time: 3:00 p.m.
Place: CR 224 & via videoconference

Re: SUPPORT – HB 2758 HD2, Relating to Agriculture

Aloha e Luna Ho'omalua Gabbard, Luna Ho'omalua Lee, Hope Luna Ho'omalua Richards, Hope Luna Ho'omalua Inouye, a me nā Lālā o nā Kōmike:

Hawai'i Land Trust **SUPPORTS** HB 2758 HD2, which establishes tools and processes to control and eradicate invasive species and pests. This bill strengthens our biosecurity measures against invasive pests and noxious weeds, safeguarding our ecosystems, cultural heritage, food sources, public health, and economy for current and future generations.

Urgent action is imperative to implement comprehensive detection, control, and eradication programs. Communities throughout the islands have proactively addressed invasive species, such as the coconut rhinoceros beetle and little fire ants. These invasive pests pose a significant threat to our ecosystems, agriculture, and overall well-being by endangering native species, disrupting food chains, and destabilizing natural habitats.

The Hawai'i Department of Agriculture (HDOA) holds an important role in addressing invasive species and should retain the authority to detect, control, and eradicate pests. HDOA must receive the necessary resources to effectively manage the movement of harmful pests within and between islands.

I ola ka 'āina, i ola kākou nei. Healthy lands support a thriving community. HB 2758 HD2 is crucial to modernize our biosecurity systems and protect our 'āina and future from the devastating effects of invasive species.

Mahalo for this opportunity to testify,

'Olu Campbell
President and Chief Executive Officer



NORTH SHORE NEIGHBORHOOD BOARD NO. 27

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD SUITE 106 • HONOLULU, HAWAII, 96817
TELEPHONE: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

January 27, 2024

Sharon Hurd
Chair
State of Hawaii, Department of Agriculture Board
Plant Quarantine Conference Room
1849 Auiki Street
Honolulu, HI 96819

North Shore Neighborhood Board Testimony in Support of Strong HDOA Invasive Species Rules

Aloha Chair Hurd,

The North Shore community on O'ahu is very concerned about the proliferation of invasive species – especially the Little Fire Ants (LFA) and Coconut Rhinoceros Beetle (CRB) and their negative impact on the foliage, animals, and residents of our area and the entire state.

The State of Hawaii Department of Agriculture (HDOA) has the sole authority to stop or regulate the movement of invasive pests or material infested with an invasive pest, yet the Department lacks clear, sensible rules that can better address the spread of invasive pests around or within an island. We are now finding that the CRB are moving from palm trees to non-palm trees in our area. Unfortunately, no one seems to have a clue on how to fight or prevent the spread of these evil pests. What will happen next? Infestations of our grass and shrubbery? What about our livestock and pets; not to mention our keiki. We need clear rules and the Department needs funding to fight and fine those who spread these invasive pests.

It should be illegal for nurseries and garden shops to knowingly sell plants infested with LFA or coqui frogs, bags of compost with Coconut Rhinoceros Beetles, or to sell any materials infested with serious pests. Further, HDOA should have the authority to require a nursery infested with a serious pest like LFA to control the infestation before selling infested plants and materials. The proposed changes to chapter 72 are vital to preventing the establishment and spread of the next serious invasive pest.

The Hawaii Department of Agriculture should also pass the rules that re-start the compliance program to manage the spread of Coconut Rhinoceros Beetles around O'ahu in greenwaste and other host material.

Mālama 'āina,

Kathleen M. Pahinui

Kathleen M. Pahinui
Chair, North Shore Neighborhood Board #27

Cc: Council Member Matt Weyer, District II
Senator Brenton Awa
Representative Sean Quinlan
Representative Amy Perruso

HB-2758-HD-2

Submitted on: 3/9/2024 10:00:25 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/9/2024 10:35:51 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Benton Kealii Pang, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and esteemed Members of the Committees,

My name is Benton Kealii Pang, and I request your support for HB2758 HD2.

This legislation is paramount in addressing critical gaps within our biosecurity planning and response systems. It aims to mitigate the current and potential future impacts of invasive pests and noxious weeds on our native ecosystems, cultural practices, food security, public health, economy, and the overall quality of life for both current and future generations.

Communities throughout the islands are actively engaged in efforts to detect, control, and eradicate pests within their neighborhoods. However, these endeavors are hindered by a glaring lack of government support, particularly from the Hawai‘i Department of Agriculture (HDOA). The HDOA's failure to enforce regulations prohibiting the intransland movement and sale of infested plants and commodities has likely facilitated the spread of the coconut rhinoceros beetle from O‘ahu to Maui and Hawai‘i Island. Additionally, the absence of comprehensive planning and programming to detect, control, or eradicate invasive pests and noxious weeds has further complicated efforts to contain the spread of little fire ants across O‘ahu, putting all islands at risk of similar devastating consequences.

The urgency of the situation demands immediate action. We cannot afford to wait for the HDOA to take necessary measures to address the imminent threat posed by invasive species. It is imperative that we implement 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. HB2758 HD2 represents a significant step towards modernizing our biosecurity systems and providing our communities with the tools needed to safeguard our islands and future generations from the far-reaching impacts of invasive species.

In light of these pressing concerns, I respectfully but vehemently urge the Committees to PASS HB2758 HD2. Thank you for the opportunity to testify.

Aloha ‘Āina,

Benton Kealii Pang

HB-2758-HD-2

Submitted on: 3/9/2024 12:44:22 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Aloha,

Yes to facilitating 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. Imposes certain limits on imports and transportation. Updates the method by which the Department's noxious weed list is updated

HB-2758-HD-2

Submitted on: 3/9/2024 1:37:19 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Puppione	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Greg Puppione and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/9/2024 1:04:26 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Of course should pass. Thanks.

HB-2758-HD-2

Submitted on: 3/9/2024 2:55:16 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

My name is Alyssandra Rousseve and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**.

Mahalo nui for the opportunity to testify.

HB-2758-HD-2

Submitted on: 3/9/2024 5:20:24 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Aloha,

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 extremely fierce opponents such as the coconut rhinoceros beetle and fire ants, and the too many other invasive species and noxious weeds that are already thriving here, and those that will definitely come, if HB2758 HD2 does not pass.

I SUPPORT HB2758 HD2 and I hope you do as well. Mahalo for your consideration.

HB-2758-HD-2

Submitted on: 3/9/2024 5:03:10 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

I STRONGLY SUPPORT HB2758 HD2.

Instead of being the nightclub bouncer, the Hawai'i Department of Agriculture seems to prefer being the **"Anything Goes, Anywhere, Anytime Welcome Committee"** to fire ants, coconut rhinoceros beetle, coqui frogs, and so many other invasive pests and noxious weeds that are spreading all over the islands.

Invasive species are a major reason that endemic ones become endangered! It's not just overdevelopment and pollution. The simple fact is that invasive species usually have no predators and are therefore able to thrive in the competition for food and habitat.

According to the US Fish and Wildlife Service, **Hawai'i ranks Number ONE** in the country as the state with the most endangered and threatened species: almost 500 different birds, plants, crustaceans, arachnids, insects, mammals, reptiles (turtles), and snails could become extinct in the not-so-distant future. California is second with almost 300.

We are winning by a landslide! Talk about dropping the ball... Obviously the Hawai'i Department of Agriculture needs HB2758 HD2 to help them protect those species that cannot protect themselves.

Please pass HB2758 HD2; you may sense my frustration because we are really in a race against time.

HB-2758-HD-2

Submitted on: 3/9/2024 5:25:35 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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 this very important measure. MAHALO!

HB-2758-HD-2

Submitted on: 3/9/2024 6:01:43 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.

HB-2758-HD-2

Submitted on: 3/9/2024 7:33:58 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Hello

Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Nanea Lo and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2.

me ke aloha ‘āina,

Nanea Lo, Mō'ili'ili, O'ahu

HB-2758-HD-2

Submitted on: 3/10/2024 8:32:12 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

I support HB 2758 HD2.

HB-2758-HD-2

Submitted on: 3/10/2024 11:30:20 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Natasha Latta	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Natasha Latta and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/10/2024 10:55:57 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheyenne kalama	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Cheyenne Kalama and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/10/2024 3:22:19 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

My name is Sharde Freitas and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.

HB-2758-HD-2

Submitted on: 3/10/2024 11:04:43 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Strong support!

HB-2758-HD-2

Submitted on: 3/10/2024 8:13:53 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pete Doktor	Individual	Support	Written Testimony Only

Comments:

Aloha Senate Committee Members,

I testify for myself and my `ohana in strong support of pesticide regulations.

My daughter would experience various symptoms when playing on playgrounds particularly sprayed, which she wouldn't in non-sprayed environments.

Mahalo piha for protecting the public by protecting the `āina, as we are interdependent and our public health thus security requires such preventive measures.

HB-2758-HD-2

Submitted on: 3/11/2024 12:07:28 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

My name is Diane Ware, Moku o Ka'u, and I STRONGLY SUPPORT SB3237 SD2/HB2758 HD2.

Unfortunately, our islands and our future generations may already be forced to reckon with the ecological, cultural, public health, socioeconomic, and overall quality of life impacts of invasive pests like the little fire ant and coconut rhinoceros beetle.

To mitigate the impacts of these and other invasive species we must take immediate and comprehensive actions, including but not limited to the long-needed strategies proposed in this bill. As we have seen with the coconut rhinoceros beetle's establishment on O'ahu and the takeover of Hawai'i Island by the little fire ant, the lack of such proactive strategies have confounded and will continue to severely undermine the efforts of community members who are fighting tirelessly across the islands to detect and eradicate invasive species.

Please PASS this measure as an essential means to protect our islands and our future generations from the consequences of an invasive species-infested landscape. Mahalo nui.

HB-2758-HD-2

Submitted on: 3/11/2024 12:33:18 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Evans	Individual	Support	Written Testimony Only

Comments:

Aloha Committee members,

I urge you to pass this measure to strengthen government response to the threat of invasive pests. As the editor for UH-CTAHR's extension publications during the period when little fire ants and coqui frogs were becoming established in our islands, I became closely informed about the hazards such pests pose and their potential for widespread, deleterious effects on our quality of life. A strong, concerted, well-funded State approach, in concert with the active localized efforts already existing, is very much overdue. Thank you for acting to pass this bill.

HB-2758-HD-2

Submitted on: 3/11/2024 1:10:43 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mariko Whitenack	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou! My name is Mariko Whitenack and I STRONGLY SUPPORT HB2758 HD2.

Unfortunately, our islands and our future generations may already be forced to reckon with the ecological, cultural, public health, socioeconomic, and overall quality of life impacts of invasive pests like the little fire ant and coconut rhinoceros beetle.

To mitigate the impacts of these and other invasive species we must take immediate and comprehensive actions, including but not limited to the long-needed strategies proposed in this bill. As we have seen with the coconut rhinoceros beetle's establishment on O'ahu and the takeover of Hawai'i Island by the little fire ant, the lack of such proactive strategies has confounded and will continue to severely undermine the efforts of community members who are fighting tirelessly across the islands to detect and eradicate invasive species.

Please PASS this measure as an essential means to protect our islands and our future generations from the consequences of an invasive species-infested landscape. Mahalo nui for this opportunity to offer testimony!

HB-2758-HD-2

Submitted on: 3/11/2024 1:50:36 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

My name is Clemens Mayer and I STRONGLY SUPPORT HB2758 HD2.

Unfortunately, our islands and our future generations may already be forced to reckon with the ecological, cultural, public health, socioeconomic, and overall quality of life impacts of invasive pests like the little fire ant and coconut rhinoceros beetle.

To mitigate the impacts of these and other invasive species we must take immediate and comprehensive actions, including but not limited to the long-needed strategies proposed in this bill. As we have seen with the coconut rhinoceros beetle's establishment on O'ahu and the takeover of Hawai'i Island by the little fire ant, the lack of such proactive strategies have confounded and will continue to severely undermine the efforts of community members who are fighting tirelessly across the islands to detect and eradicate invasive species.

Please PASS this measure as an essential means to protect our islands and our future generations from the consequences of an invasive species-infested landscape. Mahalo nui.

HB-2758-HD-2

Submitted on: 3/11/2024 4:58:57 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Barbara Barry and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Mahalo for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/11/2024 7:54:30 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

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

Comments:

Strongly support!

HB-2758-HD-2

Submitted on: 3/11/2024 5:30:46 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Kwan	Individual	Support	Written Testimony Only

Comments:

I support HB 2758. We need all of the tools possible to help combat the spread of invasive species, including Little Fire Ant, coqui frog, and Coconut Rhinoceros Beetle. Licensing plant nurseries would be a big step forward in this battle. And HDOA needs to be restricting movement of potential host materials around each Island and around the State. I would also like to see the State's noxious weed list updated regularly to better direct our limited resources.

I am a Certified Arborist with my own consulting business on Oahu.

HB-2758-HD-2

Submitted on: 3/11/2024 8:53:57 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Gabbard, Vice Chair Inouye, Vice Chair Richards, and Members of the Committees,

My name is Breanne Fong, and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.

HB-2758-HD-2

Submitted on: 3/11/2024 10:28:01 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Support	Written Testimony Only

Comments:

My name is peter Wilson and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/11/2024 10:30:17 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Support	Written Testimony Only

Comments:

My name is Bo Breda and I STRONGLY SUPPORT HB2758 HD2.

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 HB2758 HD2**. Thank you for the opportunity to testify.*

HB-2758-HD-2

Submitted on: 3/11/2024 11:49:44 PM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Natalie Parra	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2758. It is devastating to see the damage a single invasive species can have on the islands' native fauna and flora. There are still so many nurseries selling plants known to be invasive. This bill would be a great step forward and I hope you will support it.

HB-2758-HD-2

Submitted on: 3/12/2024 7:45:39 AM

Testimony for AEN on 3/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beverly Heiser	Individual	Support	Written Testimony Only

Comments:

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

I am in Strong Support of HB 2758 HD2 that:

"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. Imposes certain limits on imports and transportation. Updates the method by which the Department's noxious weed list is updated."