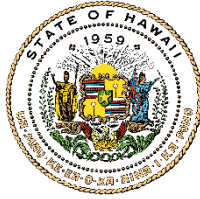


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
RYAN K.P. KANAKA'OLE  
FIRST DEPUTY  
DEAN D. UYENO  
ACTING DEPUTY DIRECTOR - WATER  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
AGRICULTURE AND FOOD SYSTEMS

Wednesday, March 13, 2024  
8:30 AM

State Capitol, Conference Room 325 & Via Videoconference

In consideration of  
SENATE BILL 572 SENATE DRAFT 2  
RELATING TO AGRICULTURE

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

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

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

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

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

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEXTER KISHIDA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'OIHANA MAHI'AI  
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**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS**

**MARCH 13, 2024**  
**8:30 AM**  
**CONFERENCE ROOM 325 & VIDEOCONFERENCE**

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

Chair Gates, Vice Chair Kahaloa and Members of the Committee:

Thank you for the opportunity to provide testimony on Senate Bill No. 572, SD2 relating to agriculture. This bill allows the Department of Agriculture (Department) to declare a biosecurity emergency in certain circumstances and with the approval of the Governor. Outlines the terms of a declared biosecurity emergency. Requires the Department to implement certain requirements for agricultural commodity importers. Allows the Department to fine agricultural commodity importers who fail to comply with the requirements. Allows the Department to subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests. Allows the Department to quarantine any farm, facility, or business that is known to be infested with pests.

The Department supports this measure and offers comments.



While HRS 91-3 contains provisions for emergency rulemaking, the Department believes that the ability to declare a biosecurity emergency, with the Governor's approval, is a substantial step in being able to acquire the necessary resources to rapidly respond to new pest introductions while being mindful of the Department's limited resources.

Regarding the proposed addition HRS 150A-53(6), the Department agrees with the intent of incentivizing pest reporting and seeking ways for importers and transporters of goods that may be infested, to do their part to minimize the risk of introduction and spread of pests in the State. The Department suggests that sections HRS 150A-53(6)(A) and (B) be removed and incorporated into the education component of HRS 150A-53(8). The Department suggests the following language:

~~"(8) Provide public education on the negative effects of pests and prohibited or restricted organisms without a permit, to the environment and economy of the State.:~~

- (A) The negative effects of pests and prohibited or restricted organism without a permit, to the environment and economy of the State;
- (B) Reporting pests or prohibited or restricted organisms that are known or suspected to be present in imported products; and
- (C) Protecting imported products to prevent pest infestation."

Additionally, the Department believes that HRS 150A-53(6)(C) can be removed as HRS 150A-5(8) Disinfection or quarantine, already requires the quarantine of imported goods that are found to be infested, at a place approved by the Department, until the goods can subjected to a treatment that eradicates the infestation, or the goods may be destroyed or sent out of the State if the infestation cannot be eradicated.

Thank you for the opportunity to testify on this measure.



**Hawaii Cattlemen's Council, Inc.**

**COMMITTEE ON AGRICULTURE & FOOD SYSTEMS**

Rep. Cedric Asuega Gates, Chair

Rep. Kirstin Kahaloa, Vice Chair

**SB572 SD2**

**RELATING TO AGRICULTURE**

Wednesday, March 13 2024, 8:30am  
Conference Room 325 & Videoconference

Chair Gates, Vice Chair Kahaloa, and Members of the Committee,

The Hawaii Cattlemen's Council **supports SB572 SD2** which allows the Department of Agriculture to declare a biosecurity emergency in certain circumstances and with the approval of the Governor and outlines the terms of a declared biosecurity emergency. It requires the Department to implement certain requirements for agricultural commodity importers. It allows the Department to fine agricultural commodity importers who fail to comply with the requirements. It allows the Department to subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests, and it allows the Department to quarantine any farm, facility, or business that is known to be infested with pests.

We are aware that there are many pressing issues that need funding, but invasive species directly affects food production and natural resource conservation. For example, Hawaii Island is responsible for 80% of the state's cattle production, so an outbreak of twolined spittlebug will be devastating not only to cattle ranchers, but to our endeavor for food security.

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

Thank you for the opportunity to testify on this matter. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director





P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

March 13, 2024

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**TESTIMONY ON SB 572, SD2**  
RELATING TO AGRICULTURE

Conference Room 325 & Videoconference  
8:30 AM

Aloha Chair Gates, Vice-Chair Kahaloa, and Members of the Committee:

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

**The Hawai'i Farm Bureau strongly supports SB 572, SD2**, which allows the Department of Agriculture to declare a biosecurity emergency in certain circumstances and with the approval of the Governor, outlines the terms of a declared biosecurity emergency, requires the Department to implement certain requirements for agricultural commodity importers, allows the Department to fine agricultural commodity importers who fail to comply with the requirements, allows the Department to subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests, and allows the Department to quarantine any farm, facility, or business that is known to be infested with pests.

Invasive species have become one of the most devastating problems impacting Hawai'i. Many invasive species are damaging Hawai'i's environment and economy. Agriculture has a vested interest in this matter. Agriculture suffers when invasive species are introduced. Every year, numerous new pests are introduced into the State, such as the coqui frog, coffee berry borer, macadamia felted coccid, little fire ant, coconut rhinoceros beetle, small hive beetle, and varroa mite, to name a few. Control measures take time to develop, leaving farmers and ranchers at risk. This is not consistent with the State's goal of increasing self-sufficiency and sustainability.

Proper funding for HDOA is critical for the protection of Hawai'i's environment and economy and the health and lifestyle of its people through the support of invasive species prevention, control, research, outreach, and planning. HDOA's Biosecurity Program is essential to fully execute a comprehensive strategy to address the increasing amount of

invasive species entering the state. HDOA needs to be provided the necessary resources to help prevent new invasive species from entering Hawai'i and to control and hopefully eradicate invasive species that are already established in Hawai'i so we don't ever have to declare a Biosecurity emergency.

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



**SB-572-SD-2**

Submitted on: 3/11/2024 4:46:03 PM

Testimony for AGR on 3/13/2024 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to authorizing the Department of Agriculture to declare a biosecurity emergency in certain circumstances and with the approval of the Governor. Outlines the terms of a declared biosecurity emergency. Requires the Department to implement certain requirements for agricultural commodity importers. Authorizes the Department to subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests.

Authorizes the Department to quarantine any farm, facility, or business that is known to be infested with pests

**SB-572-SD-2**

Submitted on: 3/12/2024 7:34:24 AM

Testimony for AGR on 3/13/2024 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

SUPPORT.

MAHALO!