

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



DEPT. COMM. NO. 242

SHARON HURD
Chairperson, Board of Agriculture
DEXTER KISHIDA
Deputy to the Chairperson

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

December 23, 2024

The Honorable Ronald D. Kouchi,
President and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura,
Speaker, and Members of the House
of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Annual Report on the Invasive Species Placard Program as required by HCR24/HR14, 2024 Legislature. In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at <https://hdoa.hawaii.gov/meetings-reports/legislative-reports/>.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Hurd".

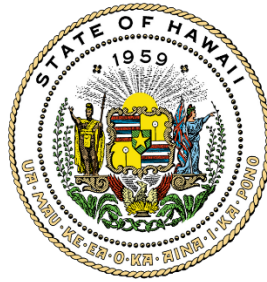
Sharon Hurd
Chairperson, Board of Agriculture

Attachments



**REPORT TO THE THIRTY-THIRD LEGISLATURE
2025 REGULAR SESSION**

IN RESPONSE TO HCR24
OF THE THIRTY-SECOND LEGISLATURE 2024, REGULAR SESSION
REQUESTING THE DEPARTMENT OF AGRICULTURE TO CREATE A PLAN TO
DEVELOP AN INVASIVE PESTS PLACARD PROGRAM AND ASSESS THE
RESOURCES NEEDED TO IMPLEMENT THE PROGRAM



Prepared by:
THE HAWAII DEPARTMENT OF AGRICULTURE

December 2024

INVASIVE SPECIES PLACARD PROGRAM Report to Legislature

Background

In the thirty-second State Legislature, Regular Session of 2024, HCR24 was passed which requested the Department of Agriculture (Department) to create a plan to develop an invasive pests placard program and assess the resources needed to implement the program. The following information is reported:

1. A plan to develop an invasive pests placard program;
2. An assessment of resources needed to implement such program; and
3. Departmental recommendations

Executive Summary

The development of an invasive pests placard program, similar in theory to the one implemented by the Hawaii Department of Health's (HDOH) Food Safety Branch (FSB), would provide the public with information regarding the presence or absence of pests; and if pests are present, are treatments ongoing or not. Some Departmental priority pests are the Coconut Rhinoceros Beetle (*Oryctes rhinoceros*), Little Fire Ant (*Wasmannia auropunctata*), and Coqui Frog (*Eleutherodactylus coqui*).

To provide the information to the public in an easy-to-understand format, the Department would create and maintain maps of surveyed nurseries, farms, and other agriculture-related businesses via a website with a geographic information systems (GIS) interface. Use of a color-coding system would allow users to quickly identify issues, concerns, and cooperation with the Department.

The program would require staffing of approximately 85 FTEs to initiate the program.

Placarding Tiers

The Department proposes the use of color-coded tiers related to the inspection of nurseries, farms, and other agriculture-related businesses as follows:

- Green – Surveyed, no priority pest present
- Chartreuse – Surveyed, priority pest present, treatment program initiated and on-going
- Yellow – Not surveyed, priority pest status unknown
- Black – Surveyed, priority pest present, working to initiate treatment program
- Red – Surveyed, priority pest present, treatment refused

Programmatic Challenges

The Department notes that the intent to use an established system such as HDOH's FSB, which has some similarities, particularly as they relate to providing the public with knowledge about pest status at a specific establishment, there are significant differences in implementation and risk management.

One main difference is that the FSB inspects food service establishments that are (for the most part) contained within an enclosed structure and the structure itself provides a physical barrier preventing the entry of most pests. The same is not true for nurseries, farms, and other agricultural-related businesses. With limited exceptions, nurseries, farms, and agricultural-related businesses are almost completely exposed to the surrounding environment at all times and pests are able to freely move from one property to another with no regard to property lines. This issue is further exacerbated if the location of the nursery, farm, or agricultural-related business is in close proximity to a property that is not implementing best management practices (BMP). Because pests can move freely, being next to a property that does not maintain BMPs essentially places the nearby nursery, farm, or agricultural-related business at a significant disadvantage of being continuously infested and requiring perpetual treatment of their property to prevent infestations or be extremely vigilant and quickly manage reinfestations as they arise and hope they can be eradicated from their property quickly.

Another major difference is the inspection of a food service establishment varies significantly from surveying techniques for pests. According to the U.S. Department of Agriculture (USDA) National Agricultural Statistics Service (NASS) 2022 Census of Agriculture for Hawaii, there are 6,589 farms, totaling approximately 1,053,302 acres, with an average size of approximately 160 acres per farm. The majority of farms (64.4%) are 1 to 9 acres, with an average size of 4 acres (total acreage is 15,229), with the next largest percentage (25.6%) being 10-49 acres, with an average size of 20 acres (total acreage is 34,134). It should be noted that the largest farms, classified as 2,000 or more acres, account for approximately 78% of the total farm acreage statewide (total acreage is 825,545). The size discrepancies and the need to utilize multiple survey methods that are unique for each target pest will require more staff, time, and physical resources. For example, at a food service establishment, inspections are focused on critical control points within the establishment, such as refrigeration units or the food preparation areas, whereas at a farm, a pest can be anywhere on the property and the environmental conditions (high winds, lightning, heavy rains, etc.) may impede or possibly prevent the ability to complete or even conduct a survey. Additionally, depending on the size of the property, a survey may take days to weeks to appropriately complete.

The last notable difference is the specific means to maintain risk management. In a food service establishment, the established controls are specifically designed (maintaining certain temperatures, use of gloves/hair nets, handwashing, etc.) and put into place to significantly reduce and/or prevent the outbreak of a food-borne illness. Additionally, the requirements that need to be met are standardized for all establishments. In a nursery, farm, or agricultural-related business, pest management strategies and BMPs to manage risk often differ from location to location based on the size of the operation, number of employees, commodities produced/raised, equipment, if they are certified organic or not, have a restricted use pesticides license, how they grow/raise their commodities, etc. and all factor into how a specific business will address pests. Because there is so much nuance or variation, should a pest be found the surveys and treatment protocols implemented will essentially need to be managed on a case-by-case basis.

Recommendations and Statutory Authority

Currently, the Department has the statutory authority under HRS 141-3.6 to enter private property to control or eradicate any pests but does not have the statutory authority to survey for pests without voluntary consent. If this program is to be required, statutory authority needs to be provided to the Department to ensure the Department may enact survey techniques to determine the pest status of a nursery, farmer, or other agriculture-related business, similar wording to HRS 141-3.6 may be used to provide the authority.

Additionally, “agricultural-related business”, if kept, needs to be clearly defined. If kept, the term could easily be interpreted to businesses that sell or repair farm machinery or infrastructure, such as plumbers, mechanics, or electricians; agricultural engineering firms or construction companies; or any establishment that receives fresh fruits, vegetables, or cut flowers, such as supermarkets or florists, all of which have minimal to no risk for becoming infested with pests or spreading them. The Department suggests not including this term in any introduced legislation as it is far too broad.

Staffing Requirements

Based on the programmatic challenges previously mentioned, the Department has devised the following staffing requirements listed below for inclusion in the Plant Quarantine Branch. Note, with the large numbers of farms (6,589) statewide, in conjunction with the understanding that the numbers in the NASS survey are likely underreported, the Department’s staffing requirements are conservatively based on the total number of nurseries (1319) as this is likely more achievable.

- 1 FTE Section Chief – Overall programmatic oversight, guidance, direction, budgeting, and operations.
- 1 FTE IT Specialist – Provides IT support for GIS intensive programs, data management, and online display of data and information.
- 2 FTE Office Assistant – Provides administrative support functions to the program.
- 1 FTE Entomologist– Provides subject matter expertise related to identification and confirmation of insects.
- 1 FTE Plant Pathologist– Provides subject matter expertise related to identification and confirmation of plant diseases.
- 7 FTE Working Supervisor Plant Quarantine Inspectors – Coordinates, schedules, and monitors day-to-day operations and ensures completion of the various tasks for inspection staff.
- 1 FTE Supervisor Plant Quarantine Inspector – Manages day-to-day operations statewide and directs, supervises, trains, and evaluates operational staff.

- 54 FTE Plant Quarantine Inspectors– Provides independent level staff to conduct surveys, provide recommendations to treat, control, prevent spread/movement of pests, and teaches the nurseries, farmers, and other agricultural-related businesses how to maintain control of the pests through chemical and mechanical means.
- 4 FTE Environmental Health Specialists – Provides environmental regulatory oversight for each district and provides legal recommendations to pesticide use.
- 13 FTE Pest Control Technicians – Provides technician level services and work at the direction of the supervisory level staff.

Staffing all 85 FTEs would require approximately \$4,833,690.00 in payroll based on the current appropriate base salary ranges for all staff. Including fringe of 62.5%, total costs of staffing is **\$7,854,746.25**.

Fiscal Requirements

Current office space cannot accommodate 85 staff, even if staffing is spread statewide. Office space, vehicles, subscriptions, fees, leases, equipment, supplies, travel, and other costs associated with programmatic operations are detailed below:

STATEWIDE FACILITIES	\$ 12,500,000.00
COMPUTERS/TABLETS	\$ 219,000.00
SERVICES	\$ 197,640.00
MISC SUPPLIES/EQUIPMENT	\$ 100,000.00
DATA MANAGEMENT SYSTEM	\$ 1,000,000.00
VEHICLES	\$ 2,400,000.00
TRAVEL	\$ 60,000.00
SUBTOTAL	\$ 16,476,640.00

The estimates above assume purchasing of office space through Capitol Improvement Projects. The costs for the vehicles, computers and data management system would significantly decrease after implementation as the recurring costs would only be for vehicle upkeep, cellular service for tablets, and data management system licenses. If the vehicles and office space were to be leased the initial costs would be significantly lower, but recurring costs would be significantly higher.

Including staff projections, costs to initiate the placarding program based on current estimates totals: **\$24,331,386.25**

Annual recurring costs once the program is established total: **\$8,672,586.25**