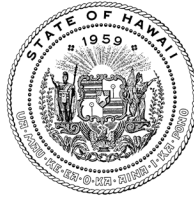


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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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 & FOOD SYSTEMS

Friday, March 21, 2025
10:00 AM
State Capitol, Conference Room 325 & Videoconference

In consideration of
HOUSE CONCURRENT RESOLUTION 25
HOUSE RESOLUTION 24
REQUESTING THE DEPARTMENT OF AGRICULTURE TO INCLUDE A
STATEMENT ON DESECRATION LAWS IN THE PLANT AND ANIMAL
DECLARATION FORM

House Concurrent Resolution 25 and companion House Resolution 24 requests that the Department of Agriculture includes a section on the State of Hawai'i Plant and Animal Declaration Form (Form) a section for everyone required to complete the form to acknowledge and affirm statements regarding desecration laws. **The Department of Land and Natural Resources (Department) offers comments.**

Many visitors to Hawai'i may also be unaware of the various federal and state laws that protect indigenous, endangered, and threatened wildlife, as listed in Title 13 Chapter 124 of the Hawai'i Administrative Rules, that they may encounter while in the State, including but not limited to Hawaiian monk seals, sea turtles, whales, dolphins, seabirds, forest birds, plants, and other native species. The Form offers an opportunity to notify visitors of the laws protecting indigenous, endangered, and threatened wildlife.

The Department suggests the inclusion on the Form a section that provides links to information about regulations that protect indigenous, endangered, and threatened wildlife.

Mahalo for the opportunity to testify on this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
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SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

FRIDAY, MARCH 21, 2025
10:00 AM
CONFERENCE ROOM 325 & VIDEOCONFERENCE

HOUSE RESOLUTION 24
REQUESTING THE DEPARTMENT OF AGRICULTURE TO INCLUDE A STATEMENT
ON DESECRATION LAWS IN THE PLANT AND ANIMAL DECLARATION FORM.

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

Thank you for the opportunity to testify on House Resolution 24 requesting the Department of Agriculture to include a statement on desecration laws in the plant and animal declaration form.

The Department agrees with the intent of this resolution that seeks to increase protection of culturally important resources, including Native Hawaiian cultural sites, burial grounds, and places of worship and that messaging through a captive audience may increase the likelihood of compliance. However, the Department notes that the form's statutory intent is to mandate the declaration of regulated commodities to prevent the entry of pests or diseases into the State and the Department is concerned that if it chooses to add this acknowledgement to the declaration form, this act would essentially enable the Department to pick and choose what other laws should be emphasized on the declaration form. As such, the Department believes that the appropriate way to add this language to the declaration form would be via a statutory change to HRS 150A-5(2)(A). The Department is also concerned that the staff who process the forms would



essentially not be able to provide any direction or guidance on the added acknowledgement as they do not have any expertise on the applicable regulations and could inadvertently provide incorrect information, leading to a possible violation.

The Department notes that on March 1st, the Department began a pilot program, Akamai Arrival, which digitizes the declaration form. The program has shown some promise and if deemed effective, a complete transition from a physical form to a digital one could occur. Should a complete transition to a digital declaration form occur, there is an opportunity to use the Akamai Arrival homepage as a launchpad to go beyond an affirmation and provide travelers with educational materials on how to comply with the intent of this resolution. This same thing could be extended to include other important topics that the Legislature deems necessary. Another added benefit of using the Akamai Arrival webpage is there would be no need to absorb added costs to re-do contracts for redesign and printing of new physical declaration forms, in addition to essentially eliminating delays in transitioning to new forms.

Thank you for the opportunity to testify on this measure.