



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

ON THE FOLLOWING MEASURE:

S.B. NO. 3237, S.D. 2, RELATING TO AGRICULTURE.

BEFORE THE:

HOUSE COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS

DATE: Wednesday, March 13, 2024 **TIME:** 8:30 a.m.

LOCATION: State Capitol, Room 325 and Videoconference

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

Chair Gates and Members of the Committee:

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 10); and (2) includes the Invasive Species Committees in the definition of "agents of the department," authorized to take certain regulatory actions as an agent of the Department of Agriculture under chapter 152, HRS (section 20, page 73, lines 1-3).

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.

Accordingly, we recommend that the bill be revised as follows:

- Section 4, at page 13, lines 3-4, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, lines 9-10, remove "or invasive species committee, or the Hawaii ant lab,";
- Section 4, at page 13, line 19, to page 14, line 7, remove the definition of "invasive species committee";
- Section 5, at page 14, lines 11-13, revise as follows: ". . . or applicable county ~~[, applicable invasive species committee as defined in section 141-3.5(e), or the Hawaii ant lab]~~";
- Section 5, at page 15, line 1, revise as follows: ". . . or county ~~[, invasive species committee, or Hawaii ant lab,]~~";
- Section 5, at page 15, lines 12-13, remove "employee of the invasive species committee, employee of the Hawaii ant lab,";
- Section 5, at page 15, lines 14-15, revise to read as follows: " . . . any agent authorized by the department or county ~~[, or invasive species committee]~~";
- Section 5, at page 16, lines 1-2, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 5, at page 16, line 8, remove "invasive species committee employee, Hawaii ant lab employee,";
- Section 7, at page 18, lines 4-6, remove ", including the appropriate invasive species committee for an island,";
- Section 20, at page 73, lines 1-3, amend the definition of "agent of the department" to read as follows:

"Agent of the department" means ~~[the applicable invasive species committee or]~~ any ~~[other]~~ person ~~[acting]~~ authorized to act on behalf of the department.

- Section 20, at page 73, lines 9-10, remove the definition of "invasive species committee."

Thank you for the opportunity to provide these comments.

BIISC
23 E. Kawili St.
Hilo, HI 96720
(808) 933-3340
www.biisc.org



March 11, 2024

Hearing: COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS
RE: SB3237

Aloha,

Thank you for the opportunity to provide comments on this bill. Hawai'i has long needed serious upgrades to our biosecurity systems, and this bill goes a long way toward filling many gaps.

There are many key positive measures offered by this bill that we feel move strongly in the right direction, much already laid out in the 2017 Hawaii Interagency Biosecurity Plan, which had strong public support. For many years, BIISC has advocated for an update to the Noxious Weed List, last revised in 1992. We launched a voluntary nursery endorsement and education program, Plant Pono, which has been very successful in reducing the number of invasive plants sold in the horticulture trade. However, we can only *request* that a nursery choose to avoid selling invasives; because they are not legally required to stop, 25% of our retail nurseries on the Big Island still sell invasive plants. More than 99% of the world's plants remain legal to import to Hawai'i - no matter how invasive! We need not just an updated Noxious Weed list, but a "living" list that can be adjusted and updated in a timely manner. This act provides exactly that - a requirement for annual updates.

We are supportive of the extension of authority to the ISCs and Counties to design and coordinate eradication programs that include the potential for admission to private property for treatment. Here on the Big Island, we have thousands of vacant parcels with absentee owners, and the lack of ability to reach those owners and obtain permission for access can often be a huge barrier to a successful control program. This is a key measure to stop incipient invasions.

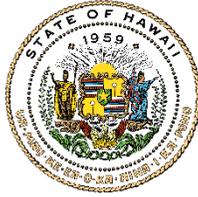
For over a year, we have been steadily providing our support for the proposed updates to HAR Ch 4-72. This bill includes those key updates and ensconces them in law, allowing for critical intervention actions in the movement of potentially infested materials to stop the movement of pests. As one of the islands to only recently have detected coco rhino beetle, we welcome these key improvements to help in the battle against CRB. Similarly, streamlining the process for allowing the definition of "pest" to be update quickly in response to new detections, rather than follow the existing process which can take months or years (and severely hamper response efforts during a critical time), is a huge step forward in making Hawai'i more responsive to the increasing challenges of our modern era.

There are many other positive provisions in the bill that BIISC feels are important to improving Hawaii's biosecurity. Thank you for this opportunity to offer comments, and do not hesitate to contact me for more information.

Franny Kinslow Brewer
Program Manager
fbrewer@hawaii.edu
(808) 933-3340

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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 3237 SENATE DRAFT 2
RELATING TO AGRICULTURE

Senate Bill 3237 Senate 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 revised. **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:

SB 3237 SD1 Actions	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
Proposes 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.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

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

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. 3237, SD2
RELATING TO AGRICULTURE

Chairs Gates, Vice Chair Kahaloa, and Members of the Committees:

Thank you for the opportunity to provide testimony on Senate Bill No. 3237, SD2 relating to agriculture. This bill facilitates the control and eradication of invasive species and pests; establishes a plant nursery licensing program; requires the Department to designate certain species as pests for control or eradication; imposes certain 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 and appreciates the inclusion of many of the suggestions included in our prior submitted testimony, but respectfully opposes this bill. This bill still requires extensive programmatic changes due to the substantial amendments to the Hawaii Revised Statutes (HRS), in addition to substantial changes to the Hawaii Administrative Rules (HAR) for implementation of the proposed statutory requirements. Because this bill



proposes to incorporate regulations that should exist within the HAR as opposed to the HRS, translating these changes into an operational reality will be difficult and restrictive, as necessary adjustments cannot be made until a legislative session and a bill is subsequently passed. Further, some changes, such as those relating to private property access, should be made to HRS 194-5 as the Hawaii Invasive Species Council (HISC) authority to enter private property is more expansive. It should be noted that HISC has not identified any invasive species for control or eradication.

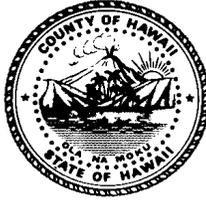
The Department also notes, funding has not been appropriated to support the intent of the bill. To fully support and implement the intent of this Bill, the Department would need funding for the following: 1) Establish an entire new Branch to accommodate the Plant Nursery Licensing Program with a statewide 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 \$5.5 million, with staffing and operational funds of \$7.8 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.

Of key importance are language changes to HRS 141-3 found on page 12 "(b) The department of agriculture [shall], so far as reasonably practicable, shall assist, free

of cost [individuals,] persons, in the control of insects...” The replacement of the word “individuals” with “persons” means the Department must control pests for businesses and individuals as “person” now includes business entities. While the bill allows for Invasive Species Committees and the Hawaii Ant Laboratory to conduct specified control activities, as Research Corporation of the University of Hawaii based projects, their focus should be on research and extension, not regulatory work. As such, the Department is proposing union-based positions to fulfill the mandate of this bill. While projected costs are provided in this testimony, the department prioritizes the administrations executive budget and legislative package.

Thank you for the opportunity to testify on this measure.

From the office of -
Council Member
District 3



Office: (808) 961-8396
Fax: (808) 961-8912
Email: sue.leeloy@hawaiicounty.gov

SUSAN L.K. LEE LOY

25 Aupuni Street, Hilo, Hawai'i 96720

March 11, 2024

The Honorable Representative Cedric Gates Chair
The Honorable Representative Kirstin Kahaloa, Vice-Chair
Members of the House Committee on Agriculture & Food Systems

Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Support for SB 3237 SD2 relating to Agriculture

Aloha Chair Gates, Vice Chair Kahaloa, and Members of the Committee on Agriculture & Food Systems:

Mahalo for the opportunity to testify in strong support of SB 3237 SD2, relating to agriculture.

In our work on the Hawai'i County Council, it remains clear that we have many challenges facing our County. With our growing population and geography, I am hopeful we can substantially address these issues by establishing quarantine tools, creating a nursery licensing system, and streamlining rules to help monitor, control, and eradicate high-priority invasive species spreading throughout our state.

Mahalo, again, for the opportunity to recognize the collaboration needed between all jurisdictions as we evolve our response to invasive species for Hawai'i Island. By partnering and focusing our efforts, we will make the best use of our precious resources and develop viable solutions for a more efficient and effective response system.

Aloha Piha,

A handwritten signature in black ink, appearing to read "Susan L.K. Lee Loy".

Susan "Sue" L.K. Lee Loy
Council Member, County of Hawai'i, District 3
Chair, Policy Committee on Infrastructure and Assets



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

SB-3237-SD-2

Submitted on: 3/11/2024 11:49:52 AM

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

Submitted By	Organization	Testifier Position	Testify
Kapono Chong-Hanssen, MD	'Ahahui o na Kauka. Association of Native Hawaiian Physicians	Support	Written Testimony Only

Comments:

'Ahahui o nā Kauka is an organization of Native Hawaiian physicians dedicated the health of the people of Hawai'i and Native Hawaiians in particular. We are deeply concerned about the recent spread of invasive pests throughout the pae 'āina o Hawai'i, and we urge you to do everything you can to rein in the spread of these pests emerging as threats to our food security, native ecosystems, culture practices, economy, quality of life and health.



Committee on
Agriculture
Chair Cedric Gates, Vice Chair Kirstin Kahaloa

Wednesday March 13, 2024 Time Room 016]
[SB3237 SD2 — RELATING TO AGRICULTURE]

TESTIMONY
Bepie Shapiro, testifying as an individual

Chair Gates, Vice Chair Kahaloa, and Committee Members:

I strongly **support SB2327 SD2**, which facilitates the control and eradication of invasive species and pests; establishes a plant nursery licensing program; requires the Department of Agriculture to designate certain species as pests for control or eradication; imposes certain limits on imports and transportation; and updates the method by which the Department's noxious weed list is updated. I also comment on changes made in SD1.

First, I compliment the introducers of this bill for their understanding of the significant threat introduced species have been throughout my life in Hawaii (not everyone will recall the destruction caused by African snails, but memories of wild hillsides stripped of all leaves by those snails haunt me). We all live in dread of losing our iconic coconut trees to the rhinoceros beetles, and our enjoyment of parks, hikes, gardening and much more due to little fire ants. Citrus greening threatens local agriculture and our ability to feed ourselves with locally grown produce. I could go on and on, and so could you.

I know that some expert testifiers at the JUD and WAM hearing gave important testimonies which justified a few of the many changes in SD1.

But I'm distressed and discouraged to see the justifiably strong measures in the original SB3237 removed from SD1. We cannot afford to let another year, or many, go by without strong rule-making requirements by the Department of Agriculture (DOA) and strong measures to prevent transportation of invasive species between islands or sale of infected plants or plant materials.

Please take this opportunity to restore those needed elements to SB3237 SD2.
And please add increased funds to DOA to enable them to comply with these responsibilities.

Thank you for the opportunity to submit testimony.

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

Hawai'i State House of Representatives
Committee on Agriculture & Food System
SB 3237 – Relating to Agriculture

RE: Strong support of SB3237

March 13, 2024

The Council for Native Hawaiian Advancement (CNHA) writes in **strong support of SB 3237**. 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).

SB 3237 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 SB 3237**.

Me ka ha'aha'a,

Madelyn McKeague
Policy Manager, CNHA

SB-3237-SD-2

Submitted on: 3/11/2024 1:11:52 PM

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

Submitted By	Organization	Testifier Position	Testify
Barbara Kaaumoana	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 SB3237SD2

Mahalo,

Makaala, Kaaumoana

SB-3237-SD-2

Submitted on: 3/11/2024 1:30:00 PM

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

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	HULI PAC	Support	Written Testimony Only

Comments:

Aloha Chair Gates, Vice Chair Kahaloe, and Members of the Committee,

My name is Maki Morinoue, and I am representing HULI PAC. We are in **STRONG SUPPORT** of SB3237 SD2.

I am a fourth-generation kama'aina from Hōlualoa, and as a multigenerational coffee farmer, we are directly impacted and have observed how invasive species make farming life even more difficult than it already is. It has also impacted our community spaces and tourism with coque frogs, wasps, and Little Fire Ants. My father has tended to our ancestral trees that are 100 years old and has watched most of them die of coffee rust in 2022.

Our island community has observed an influx of invasive species in just one generation since the late 90s when Walmart, Kmart, Lowes, and other large corporations and industries began shipping in plants. In 20 plus years, we have seen Twolined Spittlebug, Sweet Potatoe Bug, Raime Moth, Macadamia Felted Coccid Bug, Queensland Longhorn Beetle, Oriental Flower Beetle, Little Fire Ants, Horned Powder Post Beetle, False Blister Beetle, Coconut Rhinoceros Beetle, and the Avocado Lace Bug to name a few bugs, coque frogs, rabbits, slugs, snails and a variety of invasive plants like the Asparagus Fern, Barbados Gooseberry and Gorse to name only a few.

Invasive species impact all life.

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.

We can no longer wait for the HDOA to take the necessary actions to comprehensively address the real and present threat of invasive pests and noxious weeds.

I strongly urge the Committee to **PASS SB3237 SD2**.

Thank you for the opportunity to testify.

Maki Morinoue

Holualoa, Hawai'i

96725



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

March 13, 2024

8:30 AM

Conference Room 325

In **SUPPORT** of **SB3237 SD2**: Relating to Agriculture

Aloha Chair Gates, Vice Chair Kahaloa, and Committee Members,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS SB3237 SD2**, 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, 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, this 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.

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,



SIERRA CLUB OF HAWAI'I

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 Committee to **PASS** this measure. Mahalo nui for the opportunity to testify.



House Committee on Agriculture and Food Systems

Date: March 13, 2024
Time: 8:30 a.m.
Place: CR 325 & via videoconference

Re: SUPPORT – SB 3237, SD2, Relating to Agriculture

Aloha e Luna Ho'omalua Gates, Hope Luna Ho'omalua Kahaloa, a me nā Lālā o ke Kōmike:

Hawai'i Land Trust **SUPPORTS** SB3237, SD2, 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. SB3237, SD2 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



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: AGR Chair Gates, Vice Chair Kahaloa and AGR Committee Members Cochran, Lowen, Perruso, Woodson, Ward

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Comments on SB3237 SD2 Relating to Agricultural Biosecurity

Dear Chair Rhoads, Chair Dela Cruz and Committee Members,,

On behalf of the Directors of the Hawai'i Forest Industry Association (HFIA), these comments are on the language of the bill SB3237 SD2 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 such as 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;". 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 recommends the inclusion of "commercial forestry" in this list of affected areas.

Additionally, within Section 20, Subsection 4 (page 74, lines 14, 15, 16 and 17) the amended definition of "noxious weed" should be further amended to specifically include "commercial forests" in the list of products damaged or injured by these invasive weeds.

The HFIA hopes that you will consider amending the language of SB3237 SD2 to include commercial forests/commercial forestry, which is also 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.

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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
House of Representatives
Committee on Agriculture & Food Systems

Testimony by
Hawaii Government Employees Association

March 13, 2024

S.B. 3237, S.D. 2 – RELATING TO AGRICULTURE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly opposes S.B. 3237, S.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 support the intent of S.B. 3237, S.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 concerns due to the potential impact it will have on the department and its current civil service employees. We believe this proposed legislation will allow 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 S.B. 3237, S.D. 2.

Respectfully submitted,

Randy Perreira
Executive Director



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

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Rep. Cedric Asuega Gates, Chair

Rep. Kirstin Kahaloa, Vice Chair

**Wednesday, March 13, 2024
8:30 AM**

**VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street**

RE: SB3237 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 Senate Bill 3237**

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 2627, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,

Eric S. Tanouye
President
Hawaii Floriculture and Nursery Association



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

March 13, 2024

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON SB 3237, 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.

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 your continued support of Hawai'i's agricultural community.



House of Representatives
Committee on Agriculture & Food Systems
Wednesday, March 13, 2024
8:30 AM Conference Room 325
State Capitol

Testimony in Support of SB3237 SD2

Aloha Chair Gates, Vice Chair Kahaloe, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) is **in strong support of SB3237 SD2 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. SB3237 SD2 addresses gaps in Hawaii's biosecurity. We all agree that HDOA is under-resourced and would benefit from additional funding and staff. However, SB3237 SD2 contains many provisions that will advance Hawaii's biosecurity without requiring significant, or in many cases any 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 Committee 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 lowcost, high-impact amendments made by SB3237 SD2, we highlight the following:

Protecting public health and welfare. Only HDOA can 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 SB3237 SD2 recognizes that we all rely on HDOA to 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.

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))

Protecting Hawaii's forests by requiring firewood treatments. SB3237 SD2 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 heat treatment requirements as proposed beginning on page 29, line 12. Not requiring these same treatments leaves Hawai'i in the vulnerable position as one of the few states that will take untreated firewood. Requiring heat treatment prior to importation into Hawai'i is a sensible, low-cost, and high-reward regulation that became extremely important several years ago when federal regulations related to firewood were repealed. The proposed requirements in this bill do not apply to firewood harvested in Hawai'i.

Protecting citrus through effective enforcement of federal quarantines. We respectfully ask this Committee to re-insert language to provide HDOA with the authority to enforce USDA quarantines in effect for all states. 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. Unfortunately, SB3237 SD2 removed a section of the bill that would close a huge hole in Hawaii's biosecurity framework. The removed language prohibited 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)) We respectfully request the Committee consider adding back in the provision to prohibit, under State law, items that are prohibited under federal law as quarantined for pests from being imported into Hawaii from other states. We are aware that the Supremacy clause of the United States Constitution requires that any State law comply with the preemption requirements of the federal Plant Protection Act. We note that there is an exception for such state restrictions that "are consistent with and do not exceed the regulations or orders issued

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

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 inserting on page 32, between lines 3 and 4, the following to protect Hawaii’s citrus, and other, industries:

“§150A- Cooperative Enforcement of Pest Quarantines.

Interstate shipments for entry into the State are subject to the following:

- (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 pest, shall not enter the State;
- (2) The owner or carrier of regulated articles that are reportedly originating in nonregulated areas of a quarantined state shall provide proof of origin of the regulated articles through an invoice, waybill or other shipping document; and
- (3) If only a portion of a state is under a state or federal quarantine, the entry of the shipment into this State shall not be refused nor shall a certificate be required if the article originates from a nonregulated area of the shipping state, unless the article is found to be infested or prohibited.”

Clarifying that selling pest-infested plants is prohibited. Section 16 of SB3237 SD2 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 53, between lines 19 and 20, 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.”

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 SB3237 SD2 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 SB3237 SD2 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 SB3237 SD2 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 Oahu 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 Hawaii 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 SB3237 SD2 is the establishment of a nursery licensing program for plant nurseries in part III, which begins on page 17, line 3. 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 in February 2024, 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 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 Amendment

Although the language on page 41, lines 7 through 14 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;

SB3237 SD2 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 SB3237 SD2 and for consideration of our testimony.

Aloha,



Christy Martin, CGAPS Program Manager



Stephanie Easley, CGAPS Legal Fellow



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March 13, 2024

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Rep. Cedric Asuega Gates Chair
Rep. Kirstin Kahaloa, Vice Chair
Committee Members

SB 3237 SD2
RELATING TO AGRICULTURE

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health, and cultural and natural resources **supports** SB 3237 SD2 that facilitates the control and eradication of invasive species and pests.

While the invasive destructive coconut rhinoceros beetle got residents attention the speed and state-wide spread of the little fire ant woke everyone up to the reality and impact that invasive species are having on native plants, animals, the natural environment, agriculture, and people.

We have heard the horror stories from Hawai'i Island residents where the little fire ant infestation is so great that people cannot work in their gardens or pull fruit from trees without being attacked or showered with stinging little fire ants,

Residents throughout the state are actively canvassing their communities to help eradicate little fire ants but it is not enough. While this can be geographically effective these efforts are limited and are like putting a band aid on a broken arm.

A comprehensive pro-active government led process that eradicates, controls interisland plant transport, imposes stricter quarantine requirements, and better polices nurseries for infected plants is needed if we are ever going to get control of species that invade and harm our island environment.

To begin a collaborative aggressive and pro-active invasive species eradication process we urge the committee to make the needed changes recommended by the Attorney General and pass SB 3237 SD2 out of committee.



Ka Iwi Coalition

Mauka to Makai



A COMMUNITY DRIVEN, VOLUNTEER-BASED RESTORATION PROJECT.

*Hāwea Heiau Complex
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CELEBRATE THE CULTURAL AND NATURAL RESOURCES OF YOUR COMMUNITY!

2024

March 12, 2024

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Livable Hawaii Kai Hui

Livable Hawaii Kai Hui is a 501(c)(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources, and upholding the integrity of the East Honolulu Sustainable Communities Plan.

Hawai'i State House of Representatives
Committee on Agriculture & Food Systems
Hearing on March 13, 2024 at 8:30 a.m.
415 South Beretania Street
Honolulu, HI 96813
Conference Room 325 & Videoconference

SUBJECT: STRONG SUPPORT FOR SB3237 SD2

Aloha e Chair Gates, Vice Chair Kahaloe, and AGR Committee Members,

As an 'āina-based nonprofit with a mission to protect East Honolulu's cultural and natural resources, Livable Hawaii Kai Hui **strongly supports SB3237 SD2** regarding invasive species, pests, and noxious weeds.

Biosecurity must be a top priority in Hawai'i. Its implications are massive, not only for the environment, but the economy, supply chains, sustainability, and resiliency of our people. Furthermore, given Hawai'i's high foot traffic, the results of a biosecurity failure may not only be devastating here, but possibly worldwide.

Our communities have shown a strong and consistent commitment to tackling the problem of invasive species, pests, and noxious weeds, but the sheer scope of the issue demands government action. SB3237 SD2 may not be a panacea, but it represents an incredibly long overdue improvement to our biosecurity systems that we will need if we hope to make a difference.

Mahalo to the Committee for taking up this measure and voting in support of our 'āina.

Mālama pono,

Elizabeth Reilly
Founder/President

SB-3237-SD-2

Submitted on: 3/11/2024 12:05:48 PM

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

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

Comments:

My name is Diane Ware from the 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.

SB-3237-SD-2

Submitted on: 3/11/2024 12:14:26 PM

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

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

Comments:

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

As a biologist with two decades of experience studying invasive species' impact on native Hawaiian ecosystems, I strongly advocate for SB3237 SD2.

This bill is essential in addressing critical gaps within our biosecurity planning and response systems, aiming to mitigate the current 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 for both present and future generations.

Communities across the islands are actively engaged in efforts to detect, control, and eradicate pests within their neighborhoods. However, these efforts are hindered by a lack of sufficient government support, particularly from the Hawai'i Department of Agriculture (HDOA). For instance, the HDOA's failure to prohibit the intransland movement and sale of infested plants and commodities likely facilitated the establishment of the coconut rhinoceros beetle on O'ahu, which has since spread to Maui and Hawai'i Island. Moreover, the absence of comprehensive planning and programming by the HDOA to detect, control, or eradicate invasive pests and noxious weeds is hindering efforts to contain the spread of little fire ants across O'ahu, putting all islands at risk of similar devastating consequences.

We cannot afford to wait for the HDOA to take the necessary actions to address the immediate threat of invasive pests and noxious weeds. We urgently need comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and spread of invasive pests and noxious weeds within and between islands. SB3237 SD2 represents a vital step toward modernizing our biosecurity systems and providing our communities with the tools needed to protect our islands and future generations from the extensive harms of invasive species.

Therefore, I respectfully but emphatically urge the Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

Aloha 'Āina,

Benton Kealii Pang, Ph.D.

SB-3237-SD-2

Submitted on: 3/11/2024 12:29:01 PM

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

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

Comments:

Aloha Senate 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.

SB-3237-SD-2

Submitted on: 3/11/2024 12:51:47 PM

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

Submitted By	Organization	Testifier Position	Testify
Teri Corpuz	Individual	Support	Written Testimony Only

Comments:

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

My name is Teri Corpuz and I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/11/2024 1:12:10 PM

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

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

Comments:

Aloha mai kākou! My name is Mariko Whitenack and I am a resident of Kaimukī. I STRONGLY SUPPORT SB3237 SD2.

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 for this opportunity to offer testimony!

SB-3237-SD-2

Submitted on: 3/11/2024 1:16:02 PM

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

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

Comments:

I STRONGLY SUPPORT SB3237 SD2.

Instead of being the nightclub bouncer, the Hawai'i Department of Agriculture seems to prefer being the **“Anything Goes, Anywhere, Anytime Welcome Committee”** and rolling out the red carpet 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 SB3237 SD2 to help them protect those species that cannot protect themselves.

Please pass SB3237 SD2; you may sense my frustration because we are really in a race against time.

SB-3237-SD-2

Submitted on: 3/11/2024 1:19:38 PM

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

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 SB3237 SD2 does not pass.

I SUPPORT SB3237 SD2 and I hope you do as well. Mahalo for your consideration.

SB-3237-SD-2

Submitted on: 3/11/2024 1:50:08 PM

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

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

Comments:

My name is Clemens Mayer and I STRONGLY SUPPORT SB3237 SD2.

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.

SB-3237-SD-2

Submitted on: 3/11/2024 1:59:51 PM

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

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

Comments:

I strongly support. Please pass. Thank you.

SB-3237-SD-2

Submitted on: 3/11/2024 3:24:54 PM

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

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!

March 13, 2024

Representative Cedric Asuego Gates
Chair, House Agriculture and Food Systems
State Capitol, 415 South Beretania St.
Honolulu, Hawaii 96813

Dear Chair Gates, Vice Chair Kahaloo, and Members of the Committee

I strongly support SB3237 SD2. This is a critical measure to facilitate the control and eradication of invasive species and pests, necessary for protecting Hawai`i's unique and fragile ecosystem, flora and fauna. According to the University of Hawai`i College of Tropical Agriculture, invasive species are "the single greatest threat to Hawai`i's economy and the natural environment and to the health and lifestyle of Hawai`i's people." ¹

While communities across the islands are now taking commendable action to detect, control, and eradicate pests in their neighborhoods, these efforts are inadequate due to the lack of a coordinated community-government response needed to comprehensively address this critical biosecurity issue. Community efforts have been frustrated by a lack of sufficient government support and resources, including and particularly from the Hawai`i Department of Agriculture (HDOA). For example, the HDOA's failure to prohibit the intra-island 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 damage alone caused by this beetle can significantly reduce coconut production and kill palm trees and other local food crops, potentially eradicating them on a large scale. The HDOA's lack of comprehensive planning and programming to detect, control and eradicate invasive pests and species is now confounding efforts to, for example, stop the spread of little fire ants across O`ahu, and leaves all islands at risk of experiencing the devastating consequences.

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. Long overdue comprehensive detection, control, and eradication programs are needed now. These include the licensing of nurseries and regulatory mechanisms to prevent the import and inter- and intra-island spread of invasive pests and noxious weeds. 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.

I respectfully urge the Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.
Therese M Argoud, MPH



¹ <https://www.ctahr.hawaii.edu/site/ExtINV.aspx>

SB-3237-SD-2

Submitted on: 3/11/2024 4:40:49 PM

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

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 Department 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

SB-3237-SD-2

Submitted on: 3/11/2024 4:48:30 PM

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

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

Comments:

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

I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2.

Mahalo nui loa for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/11/2024 5:15:22 PM

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

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

Comments:

I support SB3237. These measures are desperately needed to help combat the spread of Little Fire Ant, coqui frog, and Coconut Rhinoceros Beetle. I am a Certified Arborist with my own consulting business on Oahu.

SB-3237-SD-2

Submitted on: 3/11/2024 7:55:14 PM

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

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

Comments:

Strongly support!

SB-3237-SD-2

Submitted on: 3/11/2024 9:49:22 PM

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

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

Comments:

I STRONGLY SUPPORT SB3237 SD2.

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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/11/2024 10:22:30 PM

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

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

Comments:

My name is Bo Breda and I STRONGLY SUPPORT SB3237 SD2.

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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/11/2024 10:25:02 PM

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

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

Comments:

My name is Peter Wilson and I STRONGLY SUPPORT SB3237 SD2.

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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/12/2024 8:12:18 AM

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

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

Comments:

Aloha Chair Gates, Vice Chair Kahaloa, and Committee Members,

I strongly support SB 3237 SD2.

I live on the Windward side where the little fire ants have started to spread. Farmers have started to show the destruction of key crops such as coconut and bananas. The more invasive species take over the harder it will be to control. Please pass this bill.

SB-3237-SD-2

Submitted on: 3/12/2024 11:08:07 AM
Testimony for AGR on 3/13/2024 8:30:00 AM

RECEIVED
Date & Time
Mar 12, 2024, 3:05 pm

LATE

Submitted By	Organization	Testifier Position	Testify
Teresa Vast	Individual	Support	Written Testimony Only

Comments:

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

My name is Teresa Vast and I STRONGLY SUPPORT the intent of SB3237 SD2.

I live on a small Windward Oahu farm, not far from current Little Fire Ant (LFA) infestations on either side of our valley. Individuals and communities are working diligently to control the threat these pests pose but State support is crucial – and missing.

We still have a chance to eradicate the LFA and Coconut Rhinoceros Beetle (CRB) on our islands where they have not completely spread and colonized. Hawai'i Island, which has an uncontrolled infestation of LFA, serves as an important cautionary tale: Pets are blinded, people are bitten, and it is not safe for children to play outdoors where LFAs have proliferated. We must keep this from happening throughout the state. To succeed at eradication, strong measures and adequate funding are needed. The State must play a major role in this effort. **It cannot wait until 4/14/2112**, the current effective date of this bill.

I note there are objections to aspects of this bill, but I see no objections to the intent to save our islands from invasive species before it is too late. Please make essential changes to this bill to address legal and administrative concerns, but do not water it down and do not wait. The stakes are too high to continue to rely solely on individual and community efforts, We need strong State involvement with enforcement tools, including regulations and staff and adequate funding. Putting this off will only increase the costs – and the risks - down the road.

Please do the right thing – the power is in your hands to protect our 'aina and our future. Fix this bill and pass it, and please make it effective this year.

Mahalo for the opportunity to share these thoughts with you.

Teresa Vast

SB-3237-SD-2

Submitted on: 3/12/2024 11:48:01 AM
Testimony for AGR on 3/13/2024 8:30:00 AM

RECEIVED
Date & Time
Mar 12, 2024, 3:06 pm

LATE

Submitted By	Organization	Testifier Position	Testify
Lela Kalama	Individual	Support	Written Testimony Only

Comments:

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

My name is Lela Kalama and I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

SB-3237-SD-2

Submitted on: 3/12/2024 2:15:44 PM

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

RECEIVED
Date & Time
Mar 12, 2024, 3:06 pm

LATE

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

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom. I live in Mō'ili'ili. I'm writing in Support of SB3237 SD2.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

SB-3237-SD-2

Submitted on: 3/12/2024 3:03:59 PM

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

RECEIVED
Date & Time
Mar 12, 2024, 3:06 pm

LATE

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

Comments:

HDOA's lack of comprehensive planing and carry through to control invasive pess and noxious weeds risking more invasive species. We need to eradicate them to prevent importing them. Let's bring our biosecurity systems into the 21st centure and protect our islands. Mahalo for passing this bill. Bobbie Best, Wailuku

RECEIVED
Date & Time
Mar 12, 2024, 10:38 pm

LATE

SB-3237-SD-2

Submitted on: 3/12/2024 5:33:57 PM

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

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

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

My name is Michele Nihipali and I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

RECEIVED
Date & Time
Mar 12, 2024, 10:37 pm

LATE

SB-3237-SD-2

Submitted on: 3/12/2024 8:32:36 PM

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

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Support	Written Testimony Only

Comments:

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

My name is Nancy harter and I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.

RECEIVED
Date & Time
Mar 12, 2024, 10:37 pm

LATE

SB-3237-SD-2

Submitted on: 3/12/2024 9:50:00 PM

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

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Individual	Support	Written Testimony Only

Comments:

Aloha!

This bill should be a slam-dunk PASS after the destruction caused by the Rhino-beetle and other invasives like the fire ants. Let's just get this bill before the Governor ASAP.

Mahalo for your time.

LATE

**RECEIVED
Date & Time**

Mar 13, 2024, 6:42 am

SB-3237-SD-2

Submitted on: 3/12/2024 11:49:42 PM

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

Submitted By	Organization	Testifier Position	Testify
JON BRODZIAK	Individual	Support	Written Testimony Only

Comments:

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

I am writing to express my strong support for SB3237 SD2, a crucial measure that addresses significant gaps in our biosecurity planning and response systems. This legislation is essential in mitigating the current and 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 for both present and future generations.

Despite community efforts across the islands to detect, control, and eradicate pests locally, the lack of adequate government support, particularly from the Hawai'i Department of Agriculture (HDOA), has hindered these initiatives. The consequences of such shortcomings are evident in instances like the spread of the coconut rhinoceros beetle from O'ahu to Maui and Hawai'i Island due to the HDOA's failure to prohibit the intransland movement and sale of infested plants. Additionally, the HDOA's lack of comprehensive planning to address invasive pests and noxious weeds is complicating efforts to contain the spread of little fire ants across O'ahu, putting all islands at risk of similar invasive species-related challenges.

Given the urgency of the situation, waiting for the HDOA to take necessary actions is no longer a viable option. It is imperative to implement comprehensive detection, control, and eradication programs, including the licensing of nurseries and regulatory mechanisms to prevent the import and spread of invasive pests and noxious weeds within and between islands. SB3237 SD2 is a significant step towards bringing our biosecurity systems into the 21st century, offering our communities a much-needed opportunity to protect our islands and future generations from the detrimental effects of invasive species.

Therefore, I respectfully and emphatically urge the Committee to pass SB3237 SD2. Thank you for considering my testimony on this critical matter.

Sincerely yours,
Jon Brodziak

LATE

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Date & Time
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Submitted By	Organization	Testifier Position	Testify
Lorrie Ann Santos	Individual	Support	Written Testimony Only

Comments:

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

My name is Lorrie Ann Santos and I STRONGLY SUPPORT SB3237 SD2.

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 intrainland 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 Committee to PASS SB3237 SD2. Thank you for the opportunity to testify.