



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
AGRICULTURE**

**Thursday, February 11, 2016  
9:00 AM  
State Capitol, Conference Room 312**

**In consideration of  
HOUSE BILL 2143  
RELATING TO INVASIVE SPECIES**

House Bill 2143 proposes to authorize the Hawaii Invasive Species Council (HISC) to adopt and amend rules designating species as invasive without regard to Chapter 91, Hawaii Revised Statutes (HRS), provided that the HISC first adopt rules per Chapter 91, HRS, establishing a public notification and input process regarding such designations. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department is the administrative host of the interagency HISC and serves as co-chair along with the Hawaii Department of Agriculture (HDOA). Chapter 194, HRS, requires the HISC to identify and record all invasive species in the state, and authorizes the HISC to adopt administrative rules to effectuate the chapter.

The development of an official invasive species designation would serve two purposes: 1) as an educational tool to describe species that meet the federal definition of invasive species, as per Executive Order 13112; and 2) the HISC should have a clear designation for invasive species prior to utilizing its authority to delegate access to private property for the purposes of controlling invasive species, per Section 194-5, HRS. Maintaining this list in administrative rule, rather than by resolution or utilizing a broad definition for the term "invasive species", would provide clear criteria for how the HISC could utilize section 194-5, HRS.

In order to create a dynamic list that can be updated relatively quickly, as new invasive species are detected, the HISC has proposed to utilize a listing process, similar to that used by HDOA, to maintain lists of species that are conditionally approved or restricted for importation into the State. HDOA has authority per Section 150A-6.6, HRS, to adopt rules amending these lists

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON, P.E.**  
DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

without regard to Chapter 91, HRS, provided that HDOA utilizes a public input and notification process developed in Hawaii Administrative Rules Section 41-71-4.2.

Similarly, this measure would authorize the HISC to adopt administrative rules, per chapter 91, HRS, to establish a public notification and input process for proposed designations. Subsequently, the HISC would utilize this process, rather than the procedures described by Chapter 91, HRS, to amend an official list of designated invasive species. Utilizing this process would allow the HISC to engage the public in creating and maintaining a list of invasive species that can be updated often to remain current and accurate.

The HISC voted unanimously to propose this process at a public meeting on June 10, 2015. The full submittal describing this process can be found on the HISC website at <http://dlnr.hawaii.gov/hisc/files/2015/04/2015-6-10-HISC-Submittal-1-Admin-Rules.pdf>

The Department appreciates the opportunity to provide these comments.



Testimony of the O'ahu Invasive Species Committee  
Supporting H.B. 2143 Relating to Invasive Species  
House Committee on Agriculture  
Thursday, February 11, 2016 9:00 AM Room 312

The O'ahu Invasive Species Committee supports H.B. 2143 which would provide a legal framework for the timely control of invasive species while still allowing for public input. In order to effectively deal with invasive species, there must be a process to quickly designate an organism as a problem and allow officials access to private property to deal with it.

Little Fire Ants are a great example. All the current infestations of this species occur, at least in part, on private property. Treating public land might reduce the population, but it will balloon back up if there is a source population on private land. Eradication is the goal for all populations of Little Fire Ant on Maui, O'ahu and Kaua'i. Workers need access to all lands where the ants occur in order to accomplish this.

On O'ahu, we have been able to be successful with the invasive tree miconia because in the very beginning the source trees were all removed voluntarily by the private landowners that owned them. We are grateful for their cooperation. However, had just one landowner refused, we would now be dealing with an infestation that is out of control and beyond eradication.

We recognize the need and our duty to receive public input for these processes, but with invasive species control, the ability to react quickly can mean the difference between the perpetual expense of ongoing control and a one-time expense of eradication. This bill would allow for public input but create a faster process for action.



**Conservation Council  
for Hawai'i**

*Hawai'i's voice for wildlife*

*Kō Hawai'i leo no nā holoholona lōhiu*



Testimony Submitted to the House Committee on Agriculture

Hearing: Thursday, February 11, 2016 9 am  
Conference Room 312

In Support of HB 2143 Relating to Invasive Species

Chair Tsuji, Vice Chair Onishi, and Members of the Committee.

Aloha. Conservation Council for Hawai'i HB 2143, which authorizes HISC to adopt rules to change its invasive species list, and authorizes an agent of HISC to enter private property, under specific conditions, to control or eradicate invasive species.

This is an important bill if we are to get more serious about the invasive species crisis. Invasive species negatively affect the environment, the economy, and our quality of life. They threaten human health and native wildlife. They harm and they kill.

We need to spend more money preventing invasive species from taking over our islands. There has never been enough money to do so, and we see the results of that "penny-wise, but pound-foolish" practice of underfunding invasive species control. We can pay now or pay much more later when invasive species spread.

We urge you to appropriate a total of at least \$50,000,000 annually to address invasive species in Hawai'i as estimated by the legislative reference bureau study "Filling the Gaps in the Fight Against Invasive Species."

Please support HB 2143.

Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler



Telephone/Fax: 808.593.0255 | email: [info@conservehi.org](mailto:info@conservehi.org) | web: [www.conservehi.org](http://www.conservehi.org)  
P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Julie Leialoha | Vice President: Koalani Kaulukukui | Secretary: Wayne Tanaka

Treasurer: Ryan Belcher | Directors: Rick Barboza | Anne Huggins Walton

Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters

Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 2143 Relating to Invasive Species  
House Committee on Agriculture  
Thursday, February 11, 2016, 9:00AM, Room 312

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*The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. We manage 40,000 acres in 14 preserves and work in 19 coastal communities to help protect the near-shore reefs and waters of the main Hawaiian Islands. We forge partnerships with government, private parties and communities to protect Hawai'i's important watershed forests and coral reefs.*

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The Nature Conservancy supports H.B. 2143 to allow the Hawai'i Invasive Species Council to establish general rules for updating invasive species lists following a reasonable of public notification and opportunity to comment, rather than going through the entire Chapter 91 rulemaking process each time lists need updating.

Invasive weeds, insects, diseases, snakes, and other pests are one of the greatest threats to Hawaii's economy, agriculture, natural environment, and the health and lifestyle of its people. With favorable conditions and limited competition, non-native species arrive in the Hawaiian Islands to find an easy environment in which to thrive. Indeed, the colonization rate of introduced insects and mites in Hawai'i has been estimated at many times the rate of the continental United States. The State agencies working together through the Hawai'i Invasive Species Council need a more efficient process for updating lists of invasive species for effective response, regulation and management.

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*Shaping the future for birds*

February 11, 2016

House Committee on Agriculture  
Hawaii State Capitol, Room 312  
415 South Beretania Street  
Honolulu, HI 96813

Dear Chair Tsuji, Vice-Chair Onishi, and Committee Members:

On behalf of American Bird Conservancy, I am writing to urge your **support for HB 2143**, which would authorize the Hawaii Invasive Species Council to adopt rules to change its invasive species list and to better control invasive species.

The Hawaii Invasive Species Council is an interdepartmental collaboration created to provide policy-level direction, coordination, and planning among state departments, federal agencies, and initiatives for the control and eradication of harmful invasive species. By helping the Hawaii Invasive Species Council to achieve its mission, you will be supporting Hawaii's people and wildlife. Invasive species, by definition, are non-native species that cause or are likely to cause economic or environmental harm or harm to human health.

This bill provides the Hawaii Invasive Species Council with the authority to make necessary updates to the list of invasive species, while maintaining important opportunities for public input and feedback.

Hawaii has the dubious distinction of being the bird extinction capital of the world, in part because of the persistent threat from introduced invasive species such as mongoose and Norway rats. Appropriate control and eradication of such invasive species will benefit wildlife and people by promoting healthy ecosystems, protecting public health, and providing threatened and endangered species with a chance to recover and be removed from the Endangered Species Act.

This bill is a reasonable and appropriate step to protect the people and natural resources of Hawaii, and **we respectfully request your support for SB 2143.**

Mahalo for your consideration,

Grant Sizemore, M.S., AWB®  
Director of Invasive Species Programs

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 08, 2016 9:49 PM  
**To:** AGRtestimony  
**Cc:** annmm@juno.com  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/8/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Mello	Individual	Oppose	No

Comments: I am opposed to this bill as written.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 08, 2016 8:30 PM  
**To:** AGRtestimony  
**Cc:** lcuccia@yahoo.com  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/8/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Lee Cuccia	Individual	Comments Only	No

Comments: My concern regarding this bill is that cats and dogs may be included. Please change the language so that cats and dogs are excluded. Mahalo.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 08, 2016 8:24 PM  
**To:** AGRtestimony  
**Cc:** kailuaangel@gmail.com  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/8/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Ginger Westerman	Individual	Oppose	No

Comments: THIS BILL IS INHUMANE. PUT A STOP TO IT IMMEDIATELY. NO ONE HAS THE RIGHT TO KILL INNOCENT ANIMALS ON ANY PROPERTY. I OPPOSE SB2450 AND HB2143.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 09, 2016 9:30 AM  
**To:** AGRtestimony  
**Cc:** amimeowz@gmail.com  
**Subject:** \*Submitted testimony for HB2143 on Feb 11, 2016 09:00AM\*

**HB2143**

Submitted on: 2/9/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Ami Scronce	Individual	Oppose	No

**Comments:**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 09, 2016 10:11 AM  
**To:** AGRtestimony  
**Cc:** ollo1188@hotmail.com  
**Subject:** \*Submitted testimony for HB2143 on Feb 11, 2016 09:00AM\*

**HB2143**

Submitted on: 2/9/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Murphy	Individual	Oppose	No

Comments:

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Regarding HB2143

2/9/16

Please do not support this bill!

Anytime a law gives full rights to a committee is wrong, particularly when violating private property or taking the life of something!

Giving permission to someone else to enter an individual's private property and kill something is simply appalling. My property is my property. Unless there truly is a viable threat, by that specific individual animal then no one has any right to enter and above all kill anything!

All species must be looked at as individuals.

Do not group all species into one group. A cat is different from a frog.

Yet a human is the most invasive species of all!

Please, do not support any bill that promotes the grouping of different species, particularly when authorizing if they live or die....

Pam Wolf

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 09, 2016 9:10 PM  
**To:** AGRtestimony  
**Cc:** greentree@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB2143 on Feb 11, 2016 09:00AM\*

**HB2143**

Submitted on: 2/9/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Greentree	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 10, 2016 4:13 AM  
**To:** AGRtestimony  
**Cc:** yoshiyoshikato@gmail.com  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/10/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
kathy kato	Individual	Oppose	No

Comments: Please do not include cats and dogs in "invasive species". Starving animals will only creates more serious problems if it's done without thorough considerations.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 10, 2016 12:50 PM  
**To:** AGRtestimony  
**Cc:** ezeisenpress@gmail.com  
**Subject:** \*Submitted testimony for HB2143 on Feb 11, 2016 09:00AM\*

**HB2143**

Submitted on: 2/10/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe Eisenpress	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 10, 2016 5:06 PM  
**To:** AGRtestimony  
**Cc:** NavaroH001@hawaii.rr.com  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/10/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Helene P Navaro	Individual	Oppose	No

Comments: Strongly Oppose HB2143. Private Property is sacred and to allow some one other yourself to enter your property to kill dogs and cats it seems so barbaric. Whatever the cause may be it is still on private property not public. I do understand your position. I would only support this bill if it would exclude or exempt Dogs & Cats. Thank you for your consideration

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# Hawaii Floriculture and Nursery Association

Testimony for the Twenty Eighth Legislature, 2016  
State of Hawaii

COMMITTEE ON AGRICULTURE  
Rep. Clift Tsuji, Chair  
Rep. Richard Onishi, Vice Chair

THURSDAY FEBRUARY 11, 2016  
9:00 A.M.  
Conference Room 312  
State Capitol  
415 South Beretania Street

A bill for an act  
**HB2143 RELATING TO INVASIVE SPECIES**

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 300 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 OPPOSE** House **Bill 2143**.

There has been a severe lack of communication from HISC to the agricultural community. We have gone through draconian embargoes on our products through legislative measures during the past two years to the recent attempt to ban due to Ohia wilt this past year. We support measures to protect our forests and environment, but they must have scientific basis, which has been consistently lacking.

Please do not allow the critical notice and our ability to comment to be further weakened.

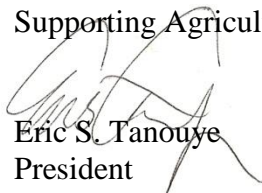
In addition, the Invasive Species Committees are temporary workers hired by RCUH, and although they have the motivation, they do not have the same training or years of experience to replace the work of an agency, so we strongly oppose them in our private properties. We have strongly supported our collaborative efforts with the Department of Agriculture and we would respectfully ask you to bring them back to full capacity.



## Hawaii Floriculture and Nursery Association

We thank you for the opportunity to express our **opposition** to **HB2143**. If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 22, cell 960-1433 and email [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).

Supporting Agriculture and Hawaii,



Eric S. Tanouye

President

Hawaii Floriculture and Nursery Association

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 10, 2016 5:43 PM  
**To:** AGRtestimony  
**Cc:** dale@hicattle.org  
**Subject:** \*Submitted testimony for HB2143 on Feb 11, 2016 09:00AM\*

**HB2143**

Submitted on: 2/10/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Sandlin	Hawaii Cattlemens Council	Support	No

Comments:

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DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

**TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE**

February 11, 2016  
9:00 A.M.  
CONFERENCE ROOM 312

**HOUSE BILL NO. 2143  
RELATING TO INVASIVE SPECIES**

Chairperson Tsuji and Members of the Committees:

Thank you for the opportunity to comment on House Bill No. 2143. This bill creates a section in Chapter 194 that would allow the Hawaii Invasive Species Council (HISC) to adopt rules to create a list of invasive species in the state and allow an agent of HISC to enter private property to control an invasive species. The Department supports the measure.

Chapter 194 requires the HISC to identify and record all invasive species in the State but does not provide a mechanism to accomplish this. Recommendations from the attorney general's office were to create this list through the rule making process. This bill provides the language in the statutes to allow for this.

The bill also amends Section 194-5 to allow for a department in HISC to have an agent enter private property to assist the department in the control of an invasive species. These items were brought before the HISC last summer at which time they voted to approve moving forward with these measures.

Thank you for the opportunity to testify.





FEBRUARY 11, 2016  
LICH TESTIMONY PROVIDING **COMMENTS ON HB 2143**

HOUSE COMMITTEE ON AGRICULTURE /HOUSE COMMITTEE ON JUDICIAL

The Landscape Industry Council of Hawaii (LICH) provides the following comments on HB 2143 Relating to invasive species.

LICH and many of its members have worked with the conservation and invasive species community for many years. However, this bill caught our attention and prompts our comments. As a whole, the public rulemaking process is designed to provide a clear and consistent roadmap which agencies and stakeholders rely upon to guide public input on proposed changes. This bill would exempt the Hawaii Invasive Species Council from chapter 91 for the purpose of adopting as-yet undeveloped rules and make additions and deletions from a list of invasive species list, provided that the rules itself would establish a process for public notification and input on the process and species.

We are requesting a clarification on how this public notification and input process would work, and the rationale for this exemption before we determine our support or opposition to this bill.

Thank you for the opportunity to testify.

Sincerely,

Garrett Webb  
President

Landscape Industry Council of Hawai'i

Hawaii's landscape industry has an economic impact of over \$520 million annually and full time employment of over 11,000 landscape professionals. Formed in 1986, LICH is a statewide alliance representing Hawaii's landscape trade associations. LICH can be found online at [www.hawaiiscape.com](http://www.hawaiiscape.com)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 11, 2016 1:30 AM  
**To:** AGRtestimony  
**Cc:** allan.yoza@hawaiiantel.net  
**Subject:** Submitted testimony for HB2143 on Feb 11, 2016 09:00AM

**HB2143**

Submitted on: 2/11/2016

Testimony for AGR on Feb 11, 2016 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Allan	Individual	Oppose	No

Comments: Strongly oppose this HB if it applies to feral cats. Cruel and horrible to kill life.

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**HB2143**  
**RELATING TO INVASIVE SPECIES**  
House Committee on Agriculture

February 11, 2016

9:00 a.m.

Room 312

The Office of Hawaiian Affairs (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **SUPPORT** HB2143, which gives the inter-agency Hawai'i Invasive Species Council (HISC) much-needed tools to address the constant threat of potentially disastrous invasive species introductions.

As a geologically isolated island archipelago, Hawai'i hosts a number of unique ecosystems and indigenous species that are particularly vulnerable to disruption and decimation by invasive species – a matter of substantial concern for Native Hawaiians, and all Hawai'i residents. The perpetuation of Native Hawaiian traditions and cultural knowledge rely upon the continued availability of our indigenous flora and fauna; moreover, our native watersheds and forests also provide a range of ecological services, such as aquifer recharge and erosion control, that are critical to everyone who calls Hawai'i home. Invasive species that disrupt our native ecosystems and threaten native species may therefore have untold impacts on our cultural heritage, as well as the economic, scientific, and recreational interests of the state.

Unfortunately, Hawai'i's role as a major Pacific hub greatly increases the chances of invasive species introductions. As illustrated by the 'ōhi'a rust and 'ōhi'a wilt, hala scale, coqui frog, and little fire ant, invasive species may also come in a wide variety of forms, may spread in a number of ways, and must therefore be dealt with as swiftly and proactively as possible, to prevent their widespread distribution and establishment.

Accordingly, this measure allows the HISC to apply its interagency expertise and resources, to promulgate rules and take coordinated, emergency actions necessary for it to address the threat of invasive species in Hawai'i. OHA notes that the narrow, expedited rulemaking authority to amend the list of identified invasive species may also be critical to meet the time-sensitive nature of invasive species control, given the length of time that the administrative rulemaking process may take, and the potentially rapid and often irreversible nature of invasive species' establishment in our islands.

In light of all these concerns, OHA urges the Committee to **PASS** HB2143. Mahalo for the opportunity to testify on this important measure.