

**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**  
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**TESTIMONY OF SHARON HURD  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

**WEDNESDAY, MARCH 27, 2024  
1:00 PM  
CONFERENCE ROOM 224**

**SENATE CONCURRENT RESOLUTION 192 / SENATE RESOLUTION 164  
REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A PERFORMANCE  
AUDIT OF THE DEPARTMENT OF AGRICULTURE'S PLANT INDUSTRY DIVISION.**

Chair Gabbard, Vice Chair Richards and Members of the Committee:

Thank you for the opportunity to testify on Senate Concurrent Resolution 192 Senate Resolution 164 that acknowledges that in 2008, pursuant to Part VI. Biosecurity Program of Chapter 150A, Hawaii Revised Statutes (HRS), the Plant Quarantine Branch (PQB) of the Plant Industry Division (PI) was established, authorized by 150A-51, HRS, with the objectives of the biosecurity program to be 1) establish a multi-dimensional system to prevent the entry into the State and interisland movement of pests and prohibited or restricted organisms without a permit; and 2) respond effectively to eradicate, control, reduce, and suppress incipient pest populations and established pests and seize and dispose of prohibited or restricted organisms without a permit.

In 2016, the Hawaii Interagency Biosecurity Plan was developed. Although the plan was supposed to be in collaboration with other state, county, and federal agencies, as well as industry stakeholders and the public, the comments provided by industry stakeholders were not included into the plan, and therefore, remains to this day, not accepted by all. In addition, the deliverables of the plan were taken from Hawaii's



appendix from the Regional Biosecurity Plan for Micronesia and Hawaii, which again had very little input from the agricultural industries. The Department proposes that if the Hawaii Interagency Biosecurity Plan is to be the guiding strategy for the State, a “hard look” must be taken at the plan itself and perhaps include all the stakeholders so that we can get agreement on the issues and deliverables.

The Department is also concerned at how the HISC utilizes the funds as nearly 97% were repetitive and not necessarily competitive.

Maui County funded a fiscal and performance audit on the Maui Invasive Species Committee (MISC) in 2019 and so it is pertinent to discover how MISC addressed the concerns of the audit.

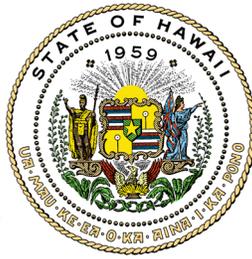
The Department supports the audit provided that the resolution amends the following:

- The performance audit should be amended to a fiscal and performance audit; and
- The fiscal and performance audit should be on all parties including: HISC, HDOA Plant Industry, Invasive Species Committees, and Hawaii Ant Lab;

The invasive species problem will not go away or be lessened unless these issues are addressed. The Department welcomes the audit but the audit will not be impactful unless there is clarity among the base plan and all the parties involved.

All the parties in the Hawaii Interagency Biosecurity Plan, with clearly defined roles, will maximize the effectiveness in achieving the objectives of 150A-51. The audit can offer recommendations for actions resulting from this resolution.

Thank you for the opportunity to submit testimony on this matter.



SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

The Honorable Mike Gabbard, Chair  
The Honorable Herbert M. "Tim" Richards, III, Vice Chair

**S.C.R. NO. 192, REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF AGRICULTURE'S PLANT INDUSTRY DIVISION.**

**S.R. NO. 164, REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF AGRICULTURE'S PLANT INDUSTRY DIVISION.**

Hearing: Wednesday, March 27, 2024, 1:00 p.m.

The Office of the Auditor offers comments on S.C.R. No. 192 and S.R. No. 164, which request the Auditor to conduct a performance audit of the Department of Agriculture's Plant Industry Division. The resolutions also request the performance audit to include:

- (1) Follow-up to
  - (A) Report No. 17-05, entitled "Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch;" and
  - (B) Report No. 20-[12], entitled "Follow Up on Recommendations from Report No. 17-05, *Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch;*"
- (2) Reports on the implementation status of the action items of the Hawai'i Interagency Biosecurity Plan; and
- (3) An evaluation of the true operational capacity of the Department of Agriculture to achieve its assigned action items established in the Hawai'i Interagency Biosecurity Plan.

The Office of the Auditor conducts performance audits that examine the efficiency and effectiveness of government programs, specifically, the activities that are key to achieving the purposes for which the Legislature created the programs. Often, the audit assesses the processes and procedures that the programs have developed to perform those key activities and whether the programs are performing the activities consistent with their respective processes and procedures. To report about things that the Legislature is interested in understanding, it is important for the Legislature to identify, specifically, the program or activity.

We note neither S.C.R. No. 192 nor S.R. No. 164 identify a specific program or activity for us to audit. The requested audit identifies the Department of Agriculture's Plant Industry Division, which includes the Plant Quarantine Branch, the Pesticides Branch, and the Plant Pest Control Branch; it is very broad and undefined. We recommend the Committee amend the resolutions to identify, specifically, the program or the activities within the Plant Industry Division that the

Legislature is interested in having us audit. That will help to ensure that the audit addresses the concerns of the Legislature.

In addition to an audit of the Plant Industry Division, the resolutions ask us to follow-up on an audit of the Plant Quarantine Branch issued in 2017, about 7 years ago. We do not believe that there is much value in assessing the branch's implementation of the recommendations from that audit. In the past 7 years, we assume that the branch has revised its procedures because of advances in technology as well as best practices. If the Committee is interested in understanding those procedures, we would suggest the Committee request a new audit of the Plant Quarantine Branch instead of asking us to update the status of the branch's implementation of the recommendations contained in our 2017 report.

The resolutions also ask for us to report on the implementation status of the Hawai'i Interagency Biosecurity Plan as well as to evaluate the Department of Agriculture's "true operational capacity" to achieve the assigned action items in the plan. Those are not audits. The Auditor's duties, as set forth in Section 23-4, Hawai'i Revised Statutes, is to conduct "postaudits" of agency transactions, accounts, programs, and performance.<sup>1</sup> Postaudits examine actions that have already been taken. We suggest that another agency – such as the Department of Agriculture or the Office of Planning and Sustainable Development – would be better able to report on the implementation status of the Hawai'i Interagency Biosecurity Plan and evaluate the Department of Agriculture's ability to achieve the action items in the plan.

We request that the Committee amend the resolutions to identify, specifically, the program or activities that the Legislature is interested in having us audit. We are available to discuss more appropriate language upon request.

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<sup>1</sup> See also Article VII, Section 10 of the Hawai'i Constitution.

**SCR-192**

Submitted on: 3/23/2024 12:33:11 PM

Testimony for AEN on 3/27/2024 1:00:00 PM

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

Comments:

Aloha,

Yes to; REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT  
A PERFORMANCE AUDIT OF THE DEPARTMENT OF  
AGRICULTURE'S PLANT INDUSTRY DIVISION.

**SCR-192**

Submitted on: 3/23/2024 9:15:13 AM

Testimony for AEN on 3/27/2024 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Bishop	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Gabbard and AEN Committee Members,

An audit is clearly needed.

With Aloha,

Lisa Bishop

Oahu Resident