

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE
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SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

FEBRUARY 5, 2025
1:03 PM
CONFERENCE ROOM 224 & VIDEOCONFERENCE

SENATE BILL NO. 140
RELATING TO INVASIVE SPECIES

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

Thank you for the opportunity to testify on Senate Bill 140 relating to invasive species. The bill prohibits the importation of firewood into the State, except for firewood that meets certain standards; requires firewood that is imported into the State from another state to be certified and labeled as heat-treated; and establishes certain exemptions.

The Department agrees with the intent of this measure and offers comments. While this measure does restrict the importation of firewood into the State, the Department believes that the language contained in this bill should be effectuated via the Hawaii Administrative Rules (HAR), rather than through Statute. HAR 4-70 already lists the requirements for importation of other plants and believes that this is also the appropriate place for firewood-related provisions.

The Department believes that should this measure move forward, section (a) should be amended by removing the reference to transportation and sale. This portion is unnecessary because all imported firewood would need to be treated or imported



under permit; and section (f) exempts firewood harvested within the State. Suggested language is as follows:

"(a) The introduction of firewood into the State from another state ~~[and the transportation or sale of firewood within the State]~~ shall be prohibited except:"

The Department believes that section (a)(2) is designed to allow the importation of raw firewood components with the intention of manufacturing firewood for retail sales. It is likely that the importation of raw components would be cost prohibitive, but there may be instances where this may be necessary, or circumstances that allow for importation of untreated firewood. To accommodate these scenarios, or others that are unforeseen, suggested language is as follows:

"(2) Firewood introduced pursuant to subsection (c), ~~[heat treated, if required, and labeled]~~ in accordance with [subsection (b)] a permit issued by the department prior to importation."

In conjunction with the changes to section (a)(2) above, section (c) should also be amended for conformance. Suggested language is as follows:

(c) The department may authorize the importation or sale of firewood by permit issued by the department on a case-by-case basis ~~[if the person producing, processing, or importing the firewood is operating under a compliance agreement or other contract with an appropriate federal or state agency,]~~ provided that the department ~~[shall]~~ determines that the firewood~~[+]~~
~~[(1) Is heat treated; or]~~
~~[(2)]~~ [W]will not pose an unacceptable risk of introducing or spreading an insect, disease, or other pest.

On page 5, line 6, section (d) can be removed because the department already issues permits for the importation of other regulated commodities which contain standard permit conditions that enable the department to amend and/or cancel permits under certain circumstances.

Thank you for the opportunity to testify on this measure.

JOSH GREEN
GOVERNOR OF HAWAII

SYLVIA LUKE
LIEUTENANT GOVERNOR



HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325
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VOTING MEMBERS

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DEPARTMENT OF LAND & NATURAL
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SHARON HURD
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MARY ALICE EVANS
BUSINESS, ECONOMIC DEVELOPMENT &
TOURISM

DEXTER KISHIDA
DEPARTMENT OF TRANSPORTATION

Chelsea Arnott, HISC Coordinator on behalf of
HISC Co-Chair Sharon Hurd and Co-Chair Dawn N.S. Chang

Senate Committees on AGRICULTURE & ENVIRONMENT

Wednesday, February 5, 2025
1:03 PM

State Capitol, Conference Room 224 and Via Videoconference

In consideration of SENATE BILL 140 RELATING TO INVASIVE SPECIES

Senate Bill 140 prohibits the importation of firewood into the State, except for firewood that meets certain standards, requires firewood that is imported into the State from another state to be certified and labeled as heat-treated and establishes certain exemptions. **The Hawai'i Invasive Species Council (Council) supports this measure.**

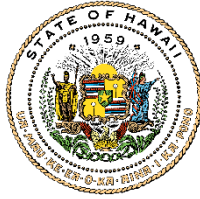
Hawai'i is home to a vast array of endemic species—plants and animals found nowhere else in the world. Many of these species are already under threat from invasive pests and diseases, and untreated firewood poses a direct risk to the delicate balance of our ecosystems. When firewood is transported into Hawai'i from other regions without proper treatment, it often carries with it invasive insects, fungi, and pathogens that can devastate our native forests, wildlife, and agriculture.

In addition to the environmental threats, the importation of untreated firewood also puts a strain on the resources of the Hawai'i Department of Agriculture, which already faces challenges in managing and monitoring the vast number of agricultural commodities that are imported into the State. By managing the importation of untreated firewood, we can significantly reduce the burden on our state's resources and allow our agricultural and environmental agencies to focus on other critical priorities.

Mahalo for the opportunity to provide testimony in support of this measure.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT

Wednesday, February 5, 2025
1:03 PM

State Capitol, Conference Room 224 and Via Videoconference

In consideration of
SENATE BILL 140
RELATING TO INVASIVE SPECIES

Senate Bill 140 requires that firewood that is imported into the state from another state be certified and labeled as heat-treated. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

The Department works to protect Hawai'i's forest resources, native biodiversity, and cultural heritage from invasive pests that enter the state through imported goods. Preventing the introduction of forest pests such as the Erythrina gall wasp and fungal diseases like Rapid 'Ōhi'a Death and myrtle rust is much more cost-effective than managing them once they have become established.

Untreated firewood remains an unregulated, high-risk pathway for invasive forest pests, including boring beetles and the diseases they can vector. Most states have adopted legal requirements for standardized heat treatments to prevent the movement of forest pests spread by infested firewood, but Hawai'i remains unprotected. Most imported wood is not inspected by the Hawai'i Department of Agriculture's (HDOA) Plant Quarantine Branch despite incidences of infested firewood being detected and confiscated. Requiring heat treatment of all firewood entering the state from other states will help prevent pests from falling through the cracks and becoming established in Hawai'i.

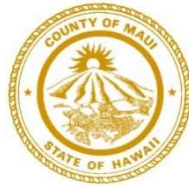
The Department has been working with HDOA to establish administrative rules to implement a requirement that imported firewood be heat treated. However, the agency has been unable to initiate the rulemaking process, and the draft firewood rule has been stalled for years. The proposal

to require heat treatment of all firewood entering the state has included outreach to vendors and local firewood producers and found no opposition. Establishing these regulations by statute would eliminate this invasive pathway immediately and help protect Hawai'i's forest resources.

Mahalo for the opportunity to provide testimony in support of this measure.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



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TO: Senator Mike Gabbard, Chair
Senator Herbet M. "Tim" Richards III, Vice Chair
Committee on Agriculture and Environment

FROM: Richard T. Bissen, Jr., Mayor
Rogerene Arce, Director of Agriculture

DATE: February 3, 2025

SUBJECT: SUPPORT OF SB140, RELATING TO INVASIVE SPECIES

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The act prohibits the importation of firewood into the State, except for firewood that meets certain standards. Requires firewood that is imported into the State from another state to be certified and labeled as heat-treated. Establishes certain exemptions.

We **SUPPORT** this measure for the following reasons:

1. Hawai'i is the endemic species, meaning found here and no where else, capital of the world. We have the rarest native and endemic plants, animals, and micro organisms. All of these species are foundational to our ability to live and thrive here in Hawai'i.
2. There is a lack of overall biosecurity at all levels and we as a government are losing the fight in protecting our native and endemic environment. Nearly every endemic species in Hawai'i is either endangered, critically endangered, or extinct. Simply put, without these native species and a healthy environment, our ability to inhabit these islands become less likely for our future generations.
3. Our Hawaiian environment is incredibly vulnerable and fragile. Across Hawai'i, generally, there is less than 10% of our fully intact native forests that are alive today. This marginal amount of fully intact native forests are under constant pressure from new and established invasive species. There are many issues in our overall biosecurity systems, but this bill aims to address one of the many gaps.

Mahalo for your consideration.



The Senate
Committee on Agriculture and Environment
Wednesday, February 5, 2025
1:03 pm Conference Room 224 & Videoconference
State Capitol

Testimony in Support of SB 140

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

The Coordinating Group on Alien Pest Species (CGAPS) is **in support of SB 140** *Relating to Invasive Species*. This bill protects Hawaii's forests by requiring firewood to be heat-treated or otherwise approved by the Hawaii Department of Agriculture (HDOA) prior to importation from other states.

The movement of firewood is a "high-risk pathway for spreading non-native and native forest pests in the United States."¹ Firewood can be low-quality wood that includes bark, making it easy for forest pests and diseases to remain alive in the harvested wood. The Nature Conservancy's Don't Move Firewood Program has identified dozens of harmful pests that can move on or in firewood, such as the Asian Longhorned Beetle, Emerald Ash Borer, and diseases of trees.²

The importation of firewood into Hawaii is currently under-regulated as a pathway. As noted in SB 140, the United States Department of Agriculture (USDA) required much of the firewood moving between states to be heat treated to slow the spread of the Emerald Ash Borer. However, that requirement was removed in 2021 as the pest became widespread in the continental United States.³ Many states have already enacted heat treatment requirements similar to those proposed in SB 140. Not requiring these same treatments leaves Hawaii in the vulnerable position as one of the few states that will take untreated firewood. Requiring heat treatment prior to importation into Hawaii is a sensible, low-cost, and high-reward regulation. The proposed requirements in this bill do not apply to firewood harvested in Hawaii.

Thank you for the opportunity to support SB 140.

¹ https://www.aphis.usda.gov/sites/default/files/firewood_pathway_assessment.pdf, p.1

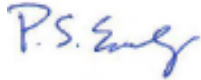
² <https://www.dontmovefirewood.org/invasive-species/>

³ 85 FedReg 81085 (2020); <https://www.federalregister.gov/documents/2020/12/15/2020-26734/removal-of-emerald-ash-borer-domestic-quarantine-regulations>

Aloha,

A handwritten signature in blue ink, appearing to read 'Christy Martin'.

Christy Martin
CGAPS Program Manager

A handwritten signature in blue ink, appearing to read 'Stephanie Easley'.

Stephanie Easley
CGAPS Legal Fellow

4 February 2025
BIISC
23 E Kawili St
Hilo, HI 96771
biisc@hawaii.edu



Attn: Senate Committee on Agriculture and Environment
RE: SB140

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

The Big Island Invasive Species Committee (BIISC) would like to express strong support for SB140, which requires firewood imported into Hawai'i to be heat-treated to prevent the spread of invasive pests. As an organization dedicated to controlling and managing invasive species, we recognize that firewood is a significant pathway for both the introduction and spread of new invasive insects and pathogens in Hawai'i.

This bill fills an important biosecurity gap and helps to reduce the risk of new invasive species, like asian longhorn beetle, laurel wilt, or red imported fire ants from arriving on our shores. Hawai'i Island residents are already dealing with the mounting impacts associated with established invaders, like little fire ants (*Wasmannia auropunctata*), Queensland Longhorn Beetle (*Acalolepta aesthetica*), and the *Ceratocystis* fungi that cause Rapid 'Ōhi'a Death. Queensland Longhorn Beetle, in particular, is especially damaging because of its wide host range, which includes culturally and economically important species, like kukui, 'ulu, avocado, citrus, cacao, alahe'e, hibiscus, and more.

By requiring that imported firewood be heat-treated, SB140 will address a critical biosecurity gap and work to prevent the introduction of new invasive insects and pathogens to Hawai'i. We urge you to support SB140 to protect Hawai'i from new invasive species that could impact the economy, environment, agriculture, and public health.

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

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

SB-140

Submitted on: 1/31/2025 10:16:15 PM

Testimony for AEN on 2/5/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Faccenda	Individual	Support	Written Testimony Only

Comments:

I support this bill as a common-sense regulation to reduce the number of invasive pests entering the islands.

Thank you,

Kevin Faccenda

SB-140

Submitted on: 2/1/2025 5:09:54 PM

Testimony for AEN on 2/5/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I support this measure.

SB-140

Submitted on: 2/3/2025 9:12:42 AM

Testimony for AEN on 2/5/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Chuck Chimera	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Gabbard, Vice Chair Richards, and Committee Members,

I strongly support SB140, which addresses the critical biosecurity gap in Hawaii by requiring heat-treated, certified firewood for importation. Untreated firewood is a known pathway for invasive pests and pathogens which can threaten Hawaii's native forests, agriculture, and ecosystems.

This bill aligns with national best practices, mirroring regulations in states like Florida and New York, and ensures Hawaii's environment is protected from devastating invasive species. By mandating heat treatment and proper labeling, SB140 provides a practical, science-based solution to safeguard our natural resources.

Hawaii's unique ecosystems are irreplaceable, and prevention is the most effective strategy. I urge your support for SB140 to protect our environment, economy, and way of life.

Mahalo,

Chuck Chimera

Honokaa, Hawaii