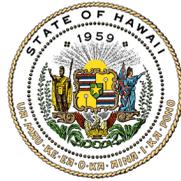


JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9560 FAX: (808) 973-9613

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

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND
WATER, LAND, CULTURE AND THE ARTS**

**WEDNESDAY, FEBRUARY 11, 2026
3:00 PM
CONFERENCE ROOM 224**

**SENATE BILL NO. 2489
RELATING TO INVASIVE SPECIES**

Chairs Gabbard and Lee, Vice Chairs Richards and Inouye and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 2489. This bill requires each lease that the Department of Agriculture and Biosecurity enters into, renews, or extends to include provisions stating that the Department may: (1) enter the leased premises; (2) order or otherwise require the lessee to maintain control of any invasive species on the leased premises; and (3) terminate the lease for refusal or violation. The Department respectfully provides comments.

For the reasons discussed below, the Department respectfully suggests that legislation proposed by Senate Bill 2489 is not needed. First, beginning in 2022 all new leases issued by the Department contain provisions requiring lessees to control invasive species, allow entry by the Department to evaluate lessee's control efforts, and to allow the Department to conduct its own control activities at lessee's expense if deemed necessary. These requirements tie into the breach provision of the lease, which allows for termination for failure to comply with lease obligations.

Second, whenever the Department renews or extends a lease, the Department's existing practice is to update the lease to include the same invasive species control requirements as used in new leases. Accordingly, like new leases, updated leases can also be terminated for lessee's refusal to comply with the invasive species control provisions.

Third, for older leases that do not contain to invasive species control provisions discussed above, the Department has nevertheless allowed entry by its Plant Industry Division staff onto the lease premises for invasive species control following the notice requirements specified in Section 141-3.6, Hawaii Revised Statutes.

Thank you for the opportunity to testify on 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
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

CIARA W.K. KAHAHANE
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
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
WATER, LAND, CULTURE, AND THE ARTS

Wednesday, February 11, 2026
3:00 PM
State Capitol, Conference Room 224

In consideration of
SENATE BILL 2489
RELATING TO INVASIVE SPECIES

Senate Bill 2489 requires each lease that the Department of Agriculture and Biosecurity (DAB) enters into, renews, or extends to include provisions stating that DAB may: (1) enter the leased premises; (2) order or otherwise require the lessee to maintain control of any invasive species on the leased premises; and (3) terminate the lease for refusal or violation. **The Department of Land and Natural Resources (Department) supports this measure, provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The Department supports DAB and the increased authority this bill grants to better manage invasive species on the lands it leases.

The Department supports DAB having greater authority to access leased lands to address invasive species issues, to require lessees to control invasive species on its land, and to terminate leases if lessees refuse DAB entry or violate laws related to invasive species control or eradication.

The Department acknowledges that DAB already has the authority to enter most properties within the State to combat invasive species. However, incorporating the language proposed in

In consideration of SENATE BILL 2489 RELATING TO INVASIVE SPECIES

this measure into leases would improve DAB's ability to enforce rules and ensure lessees comply.

Mahalo for the opportunity to comment on this measure.



The Senate
Committee on Agriculture and Environment
Committee on Water, Land, Culture and the Arts
Wednesday, February 11, 2026
3:00 PM Conference Room 224 & Videoconference
State Capitol

Testimony in Support of SB 2489

Aloha Chairs Gabbard and Lee, Vice Chair Richards and Inouye, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) is **in support of SB 2489**, *Relating to Invasive Species*, which will allow the Hawaii Department of Agriculture and Biosecurity (DAB) to enter property it leases to survey for, identify, investigate, control, or eradicate an invasive species on the leased property, to require lessees to maintain control of an invasive species on the leased premises, and to terminate a lease if the lessee refuses the entry or a requirement related to invasive species control.

We understand that at different times, DAB has included different access provisions in its agricultural leases. We further understand that it is difficult to determine which specific access provision applies to each lease, which can create impediments to access and to responding to a high-impact invasive species detected in an agricultural park. DAB's agricultural leases are managed by the Agricultural Resource Management Division, and invasive species response is carried out by the Plant Industry Division, further complicating the process of determining each lease's access provisions.

Including a general access provision in each lease going forward will mean that, eventually, all of DAB's leases will include it, allowing future invasive species control actions to be carried out quickly, hopefully before the invasive species spreads throughout the agricultural park and into surrounding areas.

SB 2489 also authorizes DAB to require its lessees to maintain control of a specific invasive species on the leased premises. We note that this provision would apply only if DAB ordered or otherwise required the lessee to maintain control over a specific invasive species. DAB has a strong record of supporting its lessees and their operations, and would not impose unreasonable burdens on them, a practice that is commendable and that should continue. However, the language in SB 2489 would give DAB the authority to work with lessees where

invasive species infestations are detected and encourage lessees to maintain control of invasive species on their leased property.

Finally, the provisions of SB 2489 will only apply to leases made, renewed, or extended after SB 2489 is enacted into law and will not affect existing leasees.

Mahalo for the opportunity to support SB 2489 and for consideration of our testimony.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow



The Senate
Committee on Water, Land, Culture and the Arts
Committee on Agriculture and Environment
Wednesday, February 11, 2026
3:00 PM Conference Room 224
State Capitol

SUBJECT: Testimony – In Support of SB2489 “Relating to Invasive Species”

Aloha Chairs Gabbard and Lee, Vice Chairs Richards and Inouye, and Members of the Committees,

I am writing on behalf of the O’ahu Invasive Species Committee (OISC) **in strong support of this SB2489 relating to Invasive Species**, providing the Department of Agriculture and Biosecurity (DAB) the clear authority to access state-leased agricultural lands to survey for and control invasive species and require lessees to manage priority pests on their leased parcels.

Delayed or incomplete access for survey and treatment of priority pest infestations encourages spread to new areas and complicates rapid response efforts. Infestations on State lands, including State-leased lands, should not have the same complications for access as private properties. This bill aims to close that important gap regarding access permission. If infestations occurring on State lands are not addressed, invasive species are likely to spread throughout neighborhoods, farms, and high-value natural areas. Rapid, coordinated response depends on the cooperation of landowners and is essential to successful containment and eradication of priority pests.

The provisions outlined in this bill are reasonable, targeted, and will improve rapid-response to invasive species outbreaks. Ensuring timely access and coordinated management on state-leased agricultural lands is a practical and necessary step to strengthen biosecurity throughout the State.

Mahalo for the opportunity to provide testimony.

Sincerely,

Nate Dube, OISC Manager



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

February 12, 2026

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

TESTIMONY ON SB 2489
RELATING TO INVASIVE SPECIES

Conference Room 224 & Videoconference
3:00 PM

Aloha Chairs Gabbard and Lee, Vice-Chairs Richards and Inouye, and Members of the Committees:

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.

The Hawai'i Farm Bureau provides comments on SB 2489, which proposes to require invasive species control provisions in state agricultural leases administered by the Department of Agriculture and Biosecurity.

HFB recognizes that invasive species pose serious and ongoing threats to Hawai'i's agricultural productivity, natural resources, and rural communities. Farmers and ranchers experience the impacts of invasive pests directly through increased costs, reduced yields, and long-term land management challenges, and we share the goal of preventing further spread and establishment.

At the same time, SB 2489 raises concerns related to how responsibility and enforcement would be applied to agricultural lessees. Invasive species are often introduced through pathways beyond a lessee's control, including adjacent lands, public access areas, and interisland movement. Clear standards, defined expectations, and coordination across agencies are essential to ensure that responsibility for invasive species management is applied fairly and effectively.

HFB also encourages careful consideration of how access, compliance requirements, and enforcement mechanisms are structured within agricultural leases. Agricultural operations rely on lease stability to make long-term investments in conservation, infrastructure, and land stewardship. Approaches that emphasize collaboration, notice, and proportional responses will be more likely to achieve durable outcomes against invasive species while maintaining viable agricultural operations on public lands.

HFB appreciates the Legislature's continued focus on invasive species prevention and respectfully offers these comments for consideration as SB 2489 moves forward.

Thank you for the opportunity to provide testimony.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Herbert M. "Tim" Richards, III, Vice Chair

COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

SB2489

RELATING TO INVASIVE SPECIES

Wednesday, February 11, 2026, 3:00 PM

Conference Room 224 & Videoconference

Chairs Gabbard & Lee, Vice Chairs Richards & Inouye, and Members of the Committees,

The Hawaii Cattlemen's Council **offers comments on SB2489** which requires each lease that the Department of Agriculture and Biosecurity enters into, renews, or extends to include provisions stating that the Department may: (1) enter the leased premises; (2) order or otherwise require the lessee to maintain control of any invasive species on the leased premises; and (3) terminate the lease for refusal or violation.

While the intent of this bill is to manage invasive species on state leases, it unfairly puts the entire responsibility on the lessee. Invasive species are difficult and costly to manage once they are established. In many cases, leased state lands already had invasive species present that the state departments should have been controlling. Instead of putting this burden solely on the leaseholder, the state departments such as DLNR and HDAB should work cooperatively with the leaseholder on a plan to manage the invasive species. As written, the bill puts all of the responsibility on the leaseholder even if gorse was already present on the lease for decades prior, or if deer migrate to the area due to circumstances outside of the leaseholders control.

We respectfully suggest the following amendments to ensure that DAB is able to work with the lessee to manage invasive species rather than subjecting the leaseholder to extreme penalties if they are not able to control a pest that they were not responsible for introducing:

On page 2, like 18, insert in bold:

- (1) Enter the leased premises at any time **WITH PRIOR NOTIFICATION** to survey for, identify, investigate, control, or eradicate invasive pests;
- (2) ~~Order or otherwise require~~ **WORK COOPERATIVELY WITH** the lessee to **SEEK FUNDING AND DEVELOP A PLAN TO** maintain control of any invasive species on the leased premises, ~~at the lessee's expense;~~
- (3) Terminate the lease if the lessee refuses the department entry or **REFUSES TO WORK COOPERATIVELY TOWARDS** ~~is found in violation of any~~



~~applicable law, rule, or order relating to~~ the control or eradication of
invasive pests.

We appreciate the opportunity to testify on this measure. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Ranchers produce a high-quality protein and are the stewards of almost 750 thousand acres of land in Hawaii, or nearly 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



February 10, 2026

To: Chair Mike Gabbard, Vice Chair Tim Richards, Chair Chris Lee, Vice Chair Lorraine Inouye, and the members of the Senate Committees on Agriculture and Environment, and Water, Land, Culture, and the Arts

Subject: **SB2489**, Relating to Invasive Species

Aloha,

I am writing **comments** concerning **SB2489**. This measure gives the Department of Agriculture and Biosecurity (DAB) the authority to access properties that it leases, require their leasees to control invasive species on their parcels, and the authority to terminate the lease if found in violation.

Invasive species negatively impact the native ecosystems and the endemic species we ultimately depend on for survival¹. The control of such invasive species, in addition to the prevention of their spread, is essential to creating a sustainable Hawai'i. **SB2489** can be beneficial in the sense that it prioritizes the control of invasive species on parcels that may have gone neglected.

However, will the risk of lease termination just harm our small farmers, who may not have the same capacities to control such species as the larger commercial farms? Or, will there be an increase in harmful herbicides to control such species? I urge the committee to **think about how DAB can offer technical or financial assistance to our farmers in managing invasive species rather than just threatening to terminate their leases.**

I urge this committee to consider my comments regarding SB2489 before making a decision, which will promote the control of harmful invasive species, while not risking a loss of essential local farms and producers.

Mahalo,
Sydney Haas & the Food+ Policy Team
#fixourfoodsystem

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2026, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

¹ Hawaii Invasive Species Council. (2026). *Invasive species*. Hawaii Invasive Species Council. <https://dlnr.hawaii.gov/hisc/info/>

SB-2489

Submitted on: 2/9/2026 3:29:19 PM

Testimony for AEN on 2/11/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Redfeather	Testifying for Ka Ohana O Na Pua	Support	Written Testimony Only

Comments:

Another Important step for HDOA & Biosecurity to be able to take responsibility for the long term condition of State leased lands. Another "authority" right that HDOA should have. In the long run it will be a game changer. Mahalo for this Bill.

SB-2489

Submitted on: 2/9/2026 3:15:14 PM

Testimony for AEN on 2/11/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

SUPPORT

SB-2489

Submitted on: 2/7/2026 5:03:34 PM

Testimony for AEN on 2/11/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

Aloha,

I stand in support of SB2489.

One recommended amendment I would suggest would be that Department of Agriculture and Biosecurity will give notice of inspection 24 hour prior to the survey.

This would help lessees to know that the inspections aren't random or targeted, but planned and coordinated.

Mahalo for your consideration,
Keoni Shizuma