

Ho, Jonathan K

---

#1

**From:** Lenley Lewis <lenleyl@gmail.com>  
**Sent:** Tuesday, January 9, 2024 9:21 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] HAR Chapter 4-72 testimony

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which will provide regulatory tools to help ensure the effectiveness of future community efforts to combat invasive pests.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant can be devastating to our agriculture and local food security, as well as our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need every tool available as soon as possible, to support a concerted effort against these and other threats. In my rural Hamakua Coast neighborhood, our own efforts to fight little fire ants have been largely unsuccessful because neighboring properties are not also taking steps. A larger scale effort like the one on Maui could help.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools*

*Mahalo for the opportunity to testify.*

*Lenley Lewis  
Laupahoehoe*

Sent from my iPhone

#2

Ho, Jonathan K

---

**From:** Pete Wilson <perhansahi@gmail.com>  
**Sent:** Tuesday, January 9, 2024 9:31 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

--  
Pete Wilson  
13-927 Kahukai Street  
Pahoa HI 96778  
808-557-8108



Ho, Jonathan K

---

**From:** p tearson <tia.pearson@gmail.com>  
**Sent:** Tuesday, January 9, 2024 9:35 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - HAR Chapter 4-72

*Aloha Chair Weyer, Vice Chair Kia'āina, and Members of the Committee,*

*I strongly support Resolution 23-308, to prevent invasive species such as the little fire ant and coconut rhinoceros beetle from permanently impacting practically every aspect of life in our islands - from our ecological integrity, to our cultural practices, food security, public health, and overall economy. This can also affect tourism.*

*Notably, Maui County has actively supported the Maui Invasive Species Council with support and funding of over \$1M annually from multiple departments, allowing the Council and its 30 staff to take on coqui frogs, little fire ants, and now coconut rhinoceros beetles. Most recently, 175 acres of little fire ant-infested forest in Nāhiku were successfully treated, and so far, ongoing monitoring indicates that this eradication effort may have been successful. O'ahu can do the same to protect our 'āina and future generations from potentially devastating invasive pests if we follow Maui's examples.*

*Accordingly, please SUPPORT Resolution 23-308.*

*Mahalo nui for the opportunity to testify.*

*Tia Pearson*



#4

Ho, Jonathan K

---

**From:** Travis <travis14unc@gmail.com>  
**Sent:** Wednesday, January 10, 2024 12:33 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Travis Thompson*

#5

**Ho, Jonathan K**

---

**From:** mike melzer <seabass428@yahoo.com>  
**Sent:** Monday, January 15, 2024 12:16 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony

I am in support of the proposed rule changes to Chapter 72, as they will help address the spread of invasive species in Hawaii and closer align our biosecurity standards to that of other states.

Mahalo,  
M. Melzer.

#6

**Ho, Jonathan K**

---

**From:** Boyd Ready <readyboyd@gmail.com>  
**Sent:** Wednesday, January 17, 2024 6:44 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - Jan 30, HI DoA hearing - Invasive Species

Aloha, Hawaii Department of Agriculture officers:

I support increased powers to inspect and require cooperation with State or City corrective actions for incipient or expanding invasive species infestations.

So long as the focus, after due public deliberation, is on the worst invaders, such as rhinoceros beetles, little fire ants, brown tree snakes and other snakes, or coqui frogs.

Please enact, or duly recommend such increased lawful powers.

Mahalo,

Boyd Ready, Director Emeritus

Landscape Industry Council of Hawaii

[LICH - Home Page \(hawaiiscape.com\)](http://hawaiiscape.com)

808-927-9021, c/o Karen Smith, Executive Director

808-463-2936, Boyd cell#



#7

**Ho, Jonathan K**

---

**From:** Michelle Nuijen <michelle.nuijen@gmail.com>  
**Sent:** Wednesday, January 17, 2024 11:22 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony: Urgent Support for Proposed Amendments to Chapter 72 for Enhanced Business Oversight in Horticultural Trade

To the Hawaii Department of Agriculture

Subject: Urgent Support for Proposed Amendments to Chapter 72 for Enhanced Business Oversight in Horticultural Trade

I am writing to express my unwavering support for the proposed amendments to Chapter 72, unanimously approved by the Board of Agriculture on February 28, 2023. These amendments are critical in safeguarding our communities, agriculture, and environment against the increasing threat posed by invasive pests, a matter made all the more urgent by recent developments on Maui.

Under the current HAR chapter 72 rules, the Hawaii Department of Agriculture (HDOA) is limited to requesting businesses to voluntarily stop the sale of pest-infested merchandise. This approach is insufficient, as evidenced by the ongoing issues with nurseries and garden shops selling items infested with Little Fire Ants (LFA) or Coconut Rhinoceros Beetle (CRB). Despite many businesses adhering to best practices, the absence of a mandatory compliance framework has led to cases where consumers unknowingly purchase and spread these infestations.

The discovery of material contaminated with CRB on Maui is a stark reminder of the urgency of this situation. We must now expend significant resources to respond and are, unfortunately, likely behind the ball in addressing this issue as it is difficult to understand the full extent of the spread. The proposed rule changes are essential to prevent such situations from arising in the first place and to enable a more effective response when they do occur.

Granting the HDOA the authority to mandatorily stop the sale of infested merchandise and to require businesses to treat infested areas is a basic yet vital measure. First, it aligns with common-sense practices employed in other states, aimed at protecting consumers and the natural ecosystem. This rule change will incentivize responsible business practices and ensure accountability for those neglecting their duties in preventing pest infestations. Second, these amendments serve to level the playing field for businesses. Businesses that invest time, effort, and resources to comply with best management practices should not be disadvantaged compared to those who disregard these practices. The current system unfairly penalizes responsible businesses, as they bear the cost of compliance while others profit from inaction. The proposed amendments would correct this imbalance, ensuring that all businesses operate under the same set of rules and are equally accountable for their practices.

Furthermore, the amendments address the critical issue of CRB spread on Oahu and its expansion to other islands. By mandating best management practices for businesses involved in the transport or processing of CRB host materials, these rules will significantly contribute to suppressing existing populations and preventing further spread.

I urge the HDOA to consider the immense benefits of these amendments. They represent a proactive step towards preserving Hawaii's unique biodiversity and agricultural heritage, offering a balanced approach that respects the existing appeals process while ensuring that necessary actions can be taken promptly against known or emergent threats.

The spread of invasive species is not just a business issue but a community one, affecting every resident and the unique island environments we cherish. The proposed amendments to Chapter 72 are a vital step in the right direction, and I strongly advocate for their swift adoption.

Thank you for considering my viewpoint on this critical matter.

Sincerely,

Dr. Michelle McLinden

Maui County resident



#3

**Ho, Jonathan K**

---

**From:** Diane Ware <volcanogetaway@yahoo.com>  
**Sent:** Wednesday, January 17, 2024 5:20 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Invasive pests in Rules Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*I have spent many hours catching coqui frogs in my neighborhood and now it's known they can harbor rat lung disease. I also am aware of soil/cinder mix being sold to landowners whose lots were bulldozed of native and invasive species that subsequently find Albizia and fire ants. Businesses must be responsible to sell soils and other materials free of invasive species.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments.*

*Mahalo nui for the opportunity to testify.*

Diane Ware  
808-967-8642  
P. O. Box 698  
99-7815 Kapoha  
Volcano HI 96785



#9

Ho, Jonathan K

---

**From:** Kyhl Austin <kyhl.austin@gmail.com>  
**Sent:** Thursday, January 18, 2024 1:43 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

My name is Kyhl Austin and I am a PhD student in entomology at UH Manoa studying invasive insects as part of my dissertation research. I am writing to you to voice my strong SUPPORT the proposed amendments to Hawai'i Administrative Rules Chapter 4-72. We desperately need laws and rules that have real teeth to prevent bad actors from knowingly selling and/or moving infested goods between/within islands and confounding the hard work of agencies and communities to protect our islands. I will remind you again that Hawaii is the invasive species capital of the world, a title we should wear with great shame. There is no reason we should continue to be. It is entirely preventable if you begin to pass rule amendments like this.

I strongly urge you to PASS the proposed rule amendments.

Mahalo for your time,  
Kyhl Austin

Ho, Jonathan K

---

**From:** Di <dibernert@gmail.com>  
**Sent:** Thursday, January 18, 2024 3:48 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Mahalo,

Dianne Bernert

#11

**Ho, Jonathan K**

---

**From:** Jeannie Jewell <jeannie.jewell@gmail.com>  
**Sent:** Friday, January 19, 2024 7:20 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I, Jean Jewell support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests.

We deal with numerous pests that have been here for decades. We need to prevent and control the entry and spread of new pests. Our way of life must be protected, these are sensible regulations, we must be able to stop pests sooner, before they become widespread.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,

Jean Jewell

Holualoa 96725



#12

**Ho, Jonathan K**

---

**From:** jeanette imler <allislove808@gmail.com>  
**Sent:** Friday, January 19, 2024 8:49 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Chair Hurd and Members of the Board Of Agriculture,

I am writing to provide my full support for the proposed amendments to Hawai'i Administrative Rules Chapter 4-72. These amendments are imperative to provide immediate and future community efforts to combat invasive pests.

Little Fire Ants have proven to be problematic to agriculture, food security, our quality of life, public health, economy and cultural practices.

I have personally seen the impact of little fire ants in Keolu Hills as well as Kahalu'u. While assistance with community driven efforts to combat LFA, I have spoken with individuals who no longer feel comfortable allowing their children, grandchildren, and pets to wander freely. I have heard a goat in agony from painful bites.

Coconut Rhinoceros Beetles are impacting niu, hala, 'ie'ie and loulou. Where will our community turn when these natural resources are no longer available? Two of these plant species were so imperative to the culture of the native people that they brought them with them in the very first canoes to land here. We can not allow these cultural, medicinal and nutritious resources to be decimated.

Pass these amendments and give DOA the support it requires to control and eradicate invasive species. Of great importance is the empowerment of DOA to legally prevent the sale and movement of certain invasive species and infested commodities both within and between islands.

I strongly request the Board PASS the proposed rule amendments.

Jeanette Imler

#13

Ho, Jonathan K

---

**From:** Nancy Redfeather <nancyredfeather@hawaii.rr.com>  
**Sent:** Friday, January 19, 2024 2:57 PM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** Nancy Redfeather  
**Subject:** [EXTERNAL] Testimony in Support: Proposed Rule Amendments Concerning Invasive Species in Hawai'i

Nancy Redfeather and Gerry Herbert  
P.O. Box 906  
Kealahou, Hi. 96750  
[nancyredfeather@hawaii.rr.com](mailto:nancyredfeather@hawaii.rr.com)  
[www.kawanuifarm.org](http://www.kawanuifarm.org)  
[www.hawaiiseedrowersnetwork.com](http://www.hawaiiseedrowersnetwork.com)  
808-322-2801

Aloha Chair Hurd,

I am writing in support for the proposed rule amendments to the Hawaii Administrative Rules, Chapter 72, that would enable HDOA to stop the public sale of plants and other merchandise infested with invasive species. I understand that the proposed amendments will also enable HDOA to be the Authority to require businesses to treat their area for invasive species *before* merchandise can be sold to the public.

For the past 25 years my family has owned and operated our small farm in Kona where we grow garden seed for market, conduct variety trials of fruits, vegetables, herbs, and spices, and grow as much food as possible for our family and Ohana. These activities are directly related to our health and income, but each year they are negatively impacted as invasive species are allowed to take a foothold and spread without an Authority to stop them.

In 2014 we stopped farming our 12 varieties of coffee, due to invasive species pressures (Twig Borer and CBB) that had become too difficult to manage. Now with Coffee Rust disease, we could eventually lose this 200+ year old gourmet coffee industry impacting 800 small family farms just on Hawaii Island, and no doubt we will look back on this time with deep regret. But this year, the loss of all our avocado varieties due to the Lace Bug was devastating. This is a major superfood for our family and ohana. Our Ulu trees have developed what Noa Lincoln calls Abortive Stress, perhaps due to climate change, another stressor. This condition causes the immature fruit to drop prematurely. And to make things worse Little Fire Ants have recently moved into our neighborhood.

So without going into more detail, we are currently at a crossroads in agriculture in Hawaii. Either we continue to allow the entrance and proliferation of invasive species or we finally decide that we must take the necessary steps to slow down and begin to reverse this long trend. If it is our true intention to develop a more diverse and healthy community food system on all islands, a food system that will help to both stem the tide of imported foods (lessening the impacts of invasives coming from containers), and create a healthier economic base for Hawaii's farmers and back yard growers then we must ACT!

Farmers, Home Producers, and Consumers are the winners of these decisive actions. The Hawai'i Seed Growers Network serves over 3,000 home producers who are part of the Backyard Revolution dedicated to growing a portion of their families food, food to share with others, and they BUY LOCAL. They also need this support.

The effects of globalization and the Nursery Industry on Hawaii's food system, ecosystem, and quality of life, has been allowed for too long to act in ways that was economically best for them at the expense of the health of the community

and the fragile and diverse ecosystems of Hawaii. For too long we have been told in Report after Report to the Hawai'i State Legislature going back to the 1980s or earlier that there needs to be a State Agency that has the Authority to make and enforce rules to keep agriculture safe for today and for future generations.

Our very life and the lives of future generations depends upon this. Losing our food system one crop at a time is not acceptable.

Mahalo to Chair Hurd and her staff at HDOA, and the Hawaii Board of Agriculture, for stepping up to the plate! Literally!

Please support the proposed rule amendments to Chapter 72 and let us together begin to reverse the wave of invasive species in Hawaii.

Mahalo and Aloha,

Nancy Redfeather and Gerry Herbert  
Kawaanui Farm



#14

**Ho, Jonathan K**

---

**From:** Jake Shearer <shearer.jacob@outlook.com>  
**Sent:** Friday, January 19, 2024 3:30 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

To Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

I am a weaver and cordage maker. Hala trees and niu trees are the source of my creativity. Over the last few years, the weaving community has quickly gone from hearing rumors about CRB to now hearing about cherished trees being devastated by beetle infestations. Same thing with niu. Driving around Oahu suddenly you can see trees dying all over the place. Last year I went with a group of weavers to Puna, a place famous for its hala groves. We had the privilege and honor to visit sites where our kupuna have been collecting lau for generations. In each location, joy in this opportunity quickly turned to pain and fear as showers of LFA rained down from the trees onto our heads. These kinds of experiences are soul crushing and could easily lead to the loss of access to traditional crafting materials and the end of millennia-long weaving traditions. I cannot express how devastating this is. What's truly terrifying is that it seems like those with the authority to take the steps to address these issues will delay until it's too late. Please, listen to experts and response teams, do everything in your power now to prevent the spread of these pests between islands and around O'ahu. We need the combined effort of government and community to secure our future.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Humbly,

Jacob Shearer  
Wai'alaie Nui, O'ahu

**Ho, Jonathan K**

---

**From:** Kellie Takamori <kellietakamori@gmail.com>  
**Sent:** Sunday, January 21, 2024 2:53 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

I have a hard time imagining what Oahu would be like if it was infested with LFA like it is on the Big Island - how it would affect the quality of life of residents, animals, and more. I also cringe to think of life without our native trees like the Loulu palm tree or how it would affect our local agriculture. The CRB is already found commonly in my hometown of Waipio and we desperately need attention and care to eradicate this.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Kellie Takamori

#16

**Ho, Jonathan K**

---

**From:** Norman Hom <norman.investmentrealty@gmail.com>  
**Sent:** Monday, January 22, 2024 8:31 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

I am in support of proposed amendments to Chapter 72 rules to strengthen the control of invasive ants and other pests including the Coqui frogs. The spread of these pests need to be controlled. It will ruin property values as well as quality of life for all, residences and tourists. Please vote to pass these amendments.

Norman Hom  
Broker  
RB-17606  
Investment Realty, LLC  
808-371-3860



#17

**Ho, Jonathan K**

---

**From:** jeanne schAAF <jmbschAAF@gmail.com>  
**Sent:** Monday, January 22, 2024 12:52 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Members of the Board of Agriculture,

I am writing to strongly urge the Board to PASS the proposed rule amendments to Hawai'i Administrative Rules Chapter 4-72 to provide the regulatory tools to combat invasive species.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, and importantly, to actively engage the public in these efforts NOW.

Please pass these amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Mahalo nui for the opportunity to testify.

Jeanne SchAAF

#18

**Ho, Jonathan K**

---

**From:** Fred Salassa <fsalassa@gmail.com>  
**Sent:** Monday, January 22, 2024 12:59 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony LRFA

Little red fire ants are in the top 100 most invasive species in the world!

I live in the makiki area and my yard is infested with little red fire ants. My grandchildren have all been stung and got severe welts/ reaction.

I am firmly for, some type of quarantine procedure for all landscaping /greenhouse, businesses.

Without any controls our island will be overrun with these ants, causing severe health problems for people and animals alike.

Fred s

Sent from my iPhone

#19

**Ho, Jonathan K**

---

**From:** Andrea Martin <andreamartin\_65@hotmail.com>  
**Sent:** Monday, January 22, 2024 1:22 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Please help keep invasive species out of Hawaii. Nurseries are not doing their part. So, something drastic has to be done. Time and time again we hear that CRBs and their larvae are found in mulch bags. Mulch that's being sold at nurseries.

Get [Outlook for iOS](#)



Ho, Jonathan K

#20

**From:** Creighton M. Litton <litton@hawaii.edu>  
**Sent:** Monday, January 22, 2024 3:27 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I am writing this letter as a private citizen of Hawaii. I **strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72**, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen throughout Hawai'i, invasive pests like the little fire ant (LFA), feral pigs and parakeets are devastating to our agriculture and local food security, as well as our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

As a Professor at UH Mānoa who researches and teaches in the field of in forest ecology and management, with emphasis on invasive species, I feel relatively well-informed of the issues surrounding invasive species. Invasive species are, along with habitat loss, the leading cause of extinctions and species/population declines for native species and ecosystems in Hawaii. Once established, invasive species are very difficult and costly to eradicate, and they longer they are allowed to spread the harder it is to eradicate them. So funding is critical to the effort to control and eliminate existing populations of highly damaging invasive species, as is funding to keep them from getting to and establishing in Hawaii in the first place. State funding is critical to both control and prevent invasive species from further damaging the environment and economy of these islands.

**Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species.** Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I **respectfully and strongly urge the Board to PASS the proposed rule amendments.** Mahalo nui for the opportunity to testify.

Creighton M. Litton  
1018 Luna'ai Place  
Kailua, HI 96734

Ho, Jonathan K

---

**From:** Harvey Arkin <harveyarkin9@gmail.com>  
**Sent:** Monday, January 22, 2024 3:29 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Harvey Arkin*



#22

**Ho, Jonathan K**

---

**From:** Leah Kocher <lk@conservehi.org>  
**Sent:** Monday, January 22, 2024 3:59 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72. This will give the Department of Agriculture the ability to properly fight against the spread of invasive species and pests throughout Hawai'i. These invasive species, such as little fire ant, coconut rhinoceros beetle, and coqui frogs have quickly proven to be a nuisance and are endangering our fragile endemic flora and fauna. It is our obligation to protect Hawai'i's plants, animals, habitats, people, and way of life from threats. Now is the time for action, before the spread has irreversibly changed our history.

Reducing the effect of these invasives needs to begin at the source of spreading, notably in the movement and sale of plants throughout our islands. Having oversight and the power to require treatment and stop the sale, and therefore spread, of contaminated plants, will be the first step in working to eradicate these pests from our landscape.

I strongly urge the Board to PASS the proposed rule amendments.

Thank you!  
Cheers,

Leah Kocher  
Operations and Events Manager  
Conservation Council for Hawai'i  
[lk@conservehi.org](mailto:lk@conservehi.org)  
(808)783-4460





**Ho, Jonathan K**

---

**From:** Kassia Gann <kassiamarie@yahoo.com>  
**Sent:** Monday, January 22, 2024 4:31 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*As a high school biology teacher, invasive species are a key portion of our curriculum and I would love to be able to share positive actions taken in Hawaii to combat them more effectively. We owe it to the kids to give them some good environmental news.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Kassia Gann*

#24

Ho, Jonathan K

---

**From:** d g <daniilfrisco@gmail.com>  
**Sent:** Monday, January 22, 2024 4:39 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Mahalo for the chance to voice my opinion!  
Danielle Guion, Makakilo, O'ahu, Hawaii*



**Ho, Jonathan K**

---

**From:** Chiemi Nagle <cnagle@ntbg.org>  
**Sent:** Monday, January 22, 2024 5:42 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Support

Hawaii Department of Agriculture  
6 p.m. January 30, 2024  
Plant Quarantine Branch Conference Room  
1849 Auiki Street  
Honolulu, Hawaii 96819

Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I, Chiemi, support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

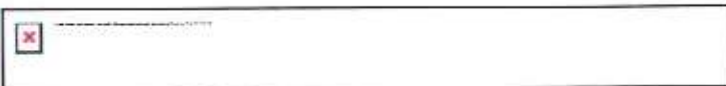
We must be able to stop pests sooner, before they become widespread.

For this reason, I ask that you please enact these changes to chapter 72.

Sincerely,  
Chiemi

**Chiemi Nagle**  
ULP Predator Control Coordinator

We're **celebrating 60 years** of perpetuating tropical plants, ecosystems, and cultural heritage!



National Tropical Botanical Garden  
Limahuli Garden & Preserve  
5-8291 Kūhiō Hwy, Hanalei, HI 96714  
(808) 652-9219 | [cnagle@ntbg.org](mailto:cnagle@ntbg.org)  
[www.ntbg.org](http://www.ntbg.org)





#26

**Ho, Jonathan K**

---

**From:** S Wendland-Gardner <swendlandgardner@icloud.com>  
**Sent:** Monday, January 22, 2024 6:57 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Yes! It should be illegal for a nursery or garden shop to knowingly sell infested plants or compost!  
Mahalo!  
Susanne Wendland-Gardner

#27

Ho, Jonathan K

---

**From:** Pete Wilson <perhansahi@gmail.com>  
**Sent:** Monday, January 22, 2024 11:58 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify*

Pete Wilson  
13-927 Kahukai Street  
Pahoa HI 96778  
808-557-8108



#28

**Ho, Jonathan K**

---

**From:** heidi bornhorst <heidibornhorst@gmail.com>  
**Sent:** Tuesday, January 23, 2024 9:22 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony LFAs

Yes we want you, Department of Ag, State of Hawaii to name the infested nurseries. If you don't name them, all the responsible plant nurseries suffer.

We also want every eradication treatment deployed ASAP. Do not let Oahu become infested. control them on every island.

This is a quality of life issue for all of us and tourists too.

CRBs are horrid. Little fire ants are worse for us, our pets and the green industry.

Mahalo,  
Heidi Bornhorst  
Horticulturist, Landscape Designer, Arborist

#29

**Ho, Jonathan K**

---

**From:** Benton Pang <mokumanamana@gmail.com>  
**Sent:** Monday, January 22, 2024 12:13 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Respected Members of the Board of Agriculture,

I am writing to express my wholehearted support for the proposed amendments to Hawai'i Administrative Rules Chapter 4-72. It is clear that these changes are crucial in providing the regulatory tools needed to enhance community efforts against invasive pests.

The impact of invasive pests, exemplified by the little fire ant (LFA) on Hawai'i Island, goes far beyond immediate threats to agriculture and local food security. It strikes at the very heart of our ecological and cultural integrity, impacting our quality of life, public health, and overall economy for generations to come.

On a personal note, my experiences as a visitor to Guam have exposed me to the dramatic effects of the coconut rhinoceros beetle on its coconut trees and the detrimental impact of the little fire ant on the local population. These firsthand encounters emphasize the urgency and importance of taking proactive measures to prevent similar devastation in our own community.

With the little fire ant and coconut rhinoceros beetle establishing their presence across the islands, it is imperative that we swiftly utilize all available tools in our collective battle against these and other emerging pest threats.

I urge you to consider and approve these amendments, empowering the Department of Agriculture with the necessary tools to effectively control and eradicate invasive species. Specifically, these amendments would enable the Department to legally restrict the sale and movement of specific invasive species and infested commodities between and within islands, a critical step in preventing "bad actor" nurseries and businesses from knowingly distributing infested plants and items.

In light of these considerations, I respectfully and emphatically request the Board to APPROVE the proposed rule amendments. Mahalo or providing me with the opportunity to share my personal testimony.

Aloha 'Āina,  
Kealii Pang  
3204 Carlos Long St  
Honolulu, Hawai'i 96816



#30

January 23, 2024

Honolulu City Council  
530 S King St # 202  
Honolulu, HI 96813  
Attn: Council Chairs and Members

RE: Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I am in support of the proposed amendments to the Hawai'i Administrative Rules Chapter 4-72, which would provide the desperately needed regulatory tools to ensure the efforts to combat invasive pests that are invading our islands.

Invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations. It is detrimental and could be life threatening if the little fire ant comes into contact with humans and pets.

Now that the little fire ant and coconut rhinoceros beetle can be found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

I urge you to pass these sound amendments that would give the Department of Agriculture the tools it needs to do its part to control and eradicate invasive species. Importantly, these amendments would give the Department of Agriculture the means to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping negligent nurseries and other businesses from knowingly selling infested plants and other items, making the work of agencies and community organizations harder to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS HAR Chapter 4-72 Rule Amendments. Mahalo nui for the opportunity to testify.

Aloha nui,

Jonnetta Peters  
Executive Director

Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)  
web: [www.conservehawaii.org](http://www.conservehawaii.org) | P.O. Box 2923, Honolulu, HI 96802  
President: Colleen Heyer | Vice President: Sunshine Woodford | Secretary: Makaala Kaaumoana  
Treasurer: Dendra Best | Directors: Puanani Anderson-Fung,  
Bret Nainoa Mossman, Michael Nakachi, Mashuri Waite Ph,D  
Executive Director: Jonnetta "Jonee" Peters  
Operations and Events Manager: Leah Kocher  
National Wildlife Federation Region 12 Director: Rachel Sprague  
National Wildlife Federation Pacific Region Associate Director: Emily Martin

*Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation*





**Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)**  
**web: [www.conservehawaii.org](http://www.conservehawaii.org) | P.O. Box 2923, Honolulu, HI 96802**  
President: Colleen Heyer | Vice President: Sunshine Woodford | Secretary: Makaala Kaaumoana  
Treasurer: Dendra Best | Directors: Puʻanani Anderson-Fung,  
Bret Nainoa Mossman, Michael Nakachi, Mashuri Waile Ph,D  
Executive Director: Jonnetta "Jonce" Peters  
Operations and Events Manager: Leah Kocher  
National Wildlife Federation Region 12 Director: Rachel Sprague  
National Wildlife Federation Pacific Region Associate Director: Emily Martin

*Kō Hawai'i leo no nā holoholona lāhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation*

#31

**Ho, Jonathan K**

---

**From:** David C Duffy <dduffy@hawaii.edu>  
**Sent:** Tuesday, January 23, 2024 2:04 PM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** David C Duffy  
**Subject:** [EXTERNAL] testimony

Aloha

I would like to ask that you accept the changes to Chapter 4-72. Please stop the sale of pest-infected material to the public and require that businesses treat their facilities when they are found to harbor such pests.

This is only common sense and is parallel to our rules and laws prohibiting the sale of unsafe foods and their unsafe storage.

This change will save millions in the future in terms of economic damage and responses to such pests.

Let us please leave Hawaii better for our children.

Mahalo

David C. Duffy  
Gerrit Parmele Wilder Professor Emeritus  
School of Life Sciences  
University of Hawaii

#32

Ho, Jonathan K

---

**From:** Amy Tanaka <atanaka63@gmail.com>  
**Sent:** Tuesday, January 23, 2024 4:30 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Invasive

Aloha,  
I live in north Kohala and we thousands of frogs. We can't sleep at night. I live in the Ainakea subdivision. Please help us.  
Mahalo



#33

Ho, Jonathan K

---

**From:** Sabastian Lambert <sabastianlambert@gmail.com>  
**Sent:** Tuesday, January 23, 2024 5:37 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony In Support: Proposed Rule Amendments Concerning Invasive Species In Hawaii

Aloha Chair Hurd,

I am writing in support for the proposed rule amendments to the Hawaii Administrative Rules, Chapter 72, that would enable HDOA to stop the public sale of plants and other merchandise infested with invasive species. I understand that the proposed amendments will also enable HDOA to be the Authority to require businesses to treat their area for invasive species *before* merchandise can be sold to the public.

I have had personal experience with invasive species. For years the environment around my home has been infested by the little fire ant, having to treat them assiduously in order that my ecosystem might not experience degradation, in which biodiversity is attenuated through the agency of these insects and that me and my family's quality of life might not be terribly lowered by an overall nightmare of their prevalent presence, part of which would entail painful bites from them that would probably induce great itchiness and physical sickness in us. In addition, my channeling of gardening endeavors into the environs of my residence have been encouraged into cessation by the circumstances these insects have produced, which is to say that engaging in gardening has become on my property, an activity apt to be the cause of considerable hardship in the form of little fire ant bites. In addition, due to the insect monocultures induced by the same ants, were I to develop one, maintaining the health of my garden space would most likely be a far more difficult task, a pattern of difficulty in tending to growing areas that is becoming an increasingly prevalent problem today.

The little fire ant, one of the 10 most invasive species in the world, is only one among a wide spectrum of other invasives introduced to these Islands, many of which have brought in their wake terrible devastation to the sacred form of Hawaiiiana, in the form of a lowered quality of health in the environment and in the quality of life of human beings. It is of inconceivable importance to mitigate the presence of these pestilential insects and their effects and to prevent any further introductions of them to the Hawaiian Islands. The same applies for all invasive species. This is vitally necessary if we are not to greatly erode the lands and the livelihoods of this beautiful place.



#34

January 30, 2024  
Hawaii Department of Agriculture  
6 p.m. Plant Quarantine Conference Room  
1849 Auiki Street  
Honolulu, Hawaii 96819

**Testimony in Support of the Proposed Amendments to Hawaii Administrative Rules,  
Chapter 4-72**

Aloha Chairperson Hurd,

The Coordinating Group on Alien Pest Species (CGAPS) **strongly supports the proposed amendments to chapter 72, Hawaii Administrative Rules (HAR)**. The amendments proposed by the Hawaii Department of Agriculture (HDOA) to chapter 72, HAR, provide important authorities for HDOA to prevent the spread of insects, diseases, and other invasive pests within Hawaii.

The proposed amendments are desperately needed now to prevent the spread of invasive insects, diseases, and other pests within the State and within individual islands. These amendments are not perfect and we wish they went further to prevent the spread of invasive species within Hawaii. However, coconut rhinoceros beetle (CRB), coqui frog, and little fire ants (LFA) are rapidly spreading across and within islands right now and the authorities provided and clarified in the proposed amendments will allow HDOA to prevent and slow the spread of these and other pests. Chapter 72 HAR is the only chapter available to Plant Industry and its Plant Quarantine Branch to regulate the movement of pests within the State. There is no corresponding chapter for animal or microorganism pests. Counties do not have the authority to ban, or regulate the movement of, pests or other invasive species or material infested with a pest or invasive species.<sup>1</sup> The counties, the agricultural, horticultural, and ranching communities, the invasive species prevention community, consumers, and the general public must rely on HDOA to protect our State and resources from invasive pests. These amendments, which HDOA has been officially considering for nearly a full year, are our chance to prevent and slow the spread of CRB, coqui, LFA, and other harmful pests and suppress

<sup>1</sup> 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 *Hawaii 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)



#34

existing populations now. We hope HDOA will move forward with these amendments as proposed and, if needed, further modify chapter 72 HAR in a future rulemaking process.

We also particularly highlight our support for the following:

**1. Proposed section 4-72-5, Prohibition on Movement of Infested Material.** The heading of this section is confusing. It would be better titled "Authority to Quarantine Infested Merchandise." The proposed section authorizes the State Plant Regulatory Official or that Official's designee (SPRO) to quarantine and prevent the movement of nursery plants or any other merchandise for sale to the public and, if the merchandise is stored in an area that is also found to be infested with an invasive pest, to require the business to treat the area.

Many people are shocked to learn that it is not illegal to sell plants or other merchandise known to be infested with a pest. Instead, section 141-2, Hawaii Revised Statutes, provides HDOA the authority to adopt administrative rules to prevent such sales. The proposed amendments to chapter 72 are HDOA's first attempt to adopt rules to prevent the sale of pest-infested merchandise, which will protect Hawaii's agricultural industries, natural resources, and the public. The proposed rule amendments are a huge step forward from HDOA's current approach, which is to ask a seller to please stop selling the pest-infested merchandise on a voluntary basis. This current situation has led to unsuspecting consumers purchasing pest-infested merchandise and spreading the pest to their homes and communities.

One of the primary pathways for the introduction and spread of invasive pests is through the horticultural trade, thus the proposed amendments focus on this area as a "critical control point." Therefore, the authority provided in proposed section 4-72-5 applies only to pest-infested merchandise, such as plants known to have LFA, available to the public or in an area of a nursery or a store. It does not apply to farms, ranches, or other agricultural production areas that do not sell directly to the public on-site. Additionally, the proposed rules allow the SPRO to:

- (1) Require the pest-infested merchandise or area to be treated;
- (2) Order the pest-infested merchandise to be destroyed; **OR**
- (3) **Take no action** and allow the movement of the merchandise and require no treatment of a pest infested area of a store.

It is unclear to us how this section has been characterized as an authority that will stop the production of agriculture and ranch animals in Hawaii. This section has no corresponding inspection authority on private property or any other property. It is intended to stop the movement of pest-infested merchandise for sale to the public, like bags of CRB-infested mulch. It has nothing to do with farms, ranches, or other agricultural production areas. If a business disagrees with the SPRO's decision to quarantine infested merchandise or require treatment of an infested store area, there is an existing statutory appeals process available that



#34

requires a prompt hearing to appeal the decision before the Board of Agriculture (Board).<sup>2</sup> It is an urgently needed first step to stop the spread of high impact invasive pests so that our limited available resources of staff and materials can focus on existing infestations.

**2. Proposed section 4-72-23, Quarantine Restrictions on Coconut Rhinoceros Beetle and Host Material.** This section is similar to the interim CRB administrative rule (§4-22.1-1 HAR) that expired on June 30, 2023. There is a major and critically important difference between that expired interim rule and proposed section 4-72-23 HAR as compared to HDOA's current CRB interim that took effect on October 4, 2023.

The current CRB interim rule is strictly a prohibition on movement of CRB host material from Oahu to other islands. The expired interim rule and proposed section 4-72-23 restrict the movement of CRB host material from Oahu to other islands and require businesses that transport or process CRB host material on an island with a CRB infestation to enter into a compliance agreement with HDOA. The compliance agreement requires those businesses to use best management practices (BMPs) to prevent CRB spread within that island. Compliance agreements are commonly used in other states to ensure that businesses that have a high potential to introduce or spread an invasive employ BMPs.

To control or eradicate an invasive pest like CRB, two actions are required: (1) treat existing infestations; and (2) prevent the spread of the pest and items infested with the pest. HDOA, CRB Response, the Invasive Species Committees, the counties, and others work hard and spend money and time treating existing CRB infestations. However, only HDOA has the authority to regulate to prevent the spread of CRB. Without proposed section 4-72-23, HDOA has no authority to regulate CRB host material or infested material within an island, making control of CRB on Oahu and eradication of CRB on other islands impossible.

At the time the proposed chapter 72 amendments were approved by the Board on February 28, 2023, Oahu was the only island known to be infested with CRB. Unfortunately since that time, CRB has spread to Kauai and beetles or larva have been found on Maui and Hawaii Island. Fortunately, the proposed amendments include a process in proposed section 4-72-10 to expand the CRB infested area to other islands or portions of other islands by Board action. Once the proposed amendments take effect, the Board may expand the CRB infested area at its next public meeting, authorizing HDOA to require businesses that transport or process CRB host material in those areas to use BMPs to prevent CRB spread and suppress current infestations.

**3. Proposed change of the decision maker for chapter 72 HAR authorities from the chief of the Plant Quarantine Branch (chief) to the State Plant Regulatory Official (SPRO).** The

---

<sup>2</sup> §141-6 HRS "Appeal from inspector's decision. Any person who feels aggrieved at any decision of any inspector of the department of agriculture shall have the right to appeal from the decision to the board of agriculture. The board shall give a prompt hearing to the appellant and the inspector upon the appeal, and decide the question at issue, which decision shall be subject to judicial review as provided in chapter 91."



proposed amendments to section 4-72-2 add the definition of SPRO as “the State Plant Regulatory Official for Hawaii or a designee of the SPRO”, delete the definition of the “chief of the plant quarantine branch”, and change the authority to prevent the intra-state spread of insects, diseases, and other pests from the chief to the SPRO throughout the chapter.

As discussed above, and even under the existing text of chapter 72, it contains important authorities to inspect certain items moving between islands, to stop infested plants and agricultural products from moving between islands, to protect the coffee and other agricultural industries, to prevent the spread of Rapid Ohia Death, and to carry out other actions to prevent the spread of invasive pests.

The SPRO is designated by the Chairperson of HDOA (Chairperson). Typically, it is the Plant Industry Administrator (Administrator), but that is not a requirement. The chief (who is the Plant Quarantine Branch Manager) is a civil service position who is supervised by the Administrator. The chief position has been vacant since May 2019, and once a permanent chief is hired that person could stay in that position for years, as Chairpersons change with gubernatorial elections. As noted above, chapter 72 HAR contains the only authorities available for HDOA to prevent the spread of pests between islands and within an island. This a serious and critically important authority. It is appropriate that the Chairperson designate the appropriate official to carry out that authority. While typically, the SPRO is the Administrator, the Chairperson could appoint the chief if she finds that person to be the appropriate official. The SPRO could also designate the chief to carry out the authorities under chapter 72, if the SPRO finds it appropriate. However, the Chairperson should have the final authority over how the chapter authorities are carried out and changing the chapter 72 decision maker to the SPRO provides the Chairperson that needed oversight.

**4. Proposed amendments to section 4-72-15, Examples of Regulated Pests.** The additions and updates proposed by HDOA to the list of examples of taxa that are pests add high impact species that HDOA should prevent from moving within the State.

A proposed amendment to section 4-72-2 HAR adds the definition of “pest” set out in section 150A-2, Hawaii Revised Statutes, which is:

“Pest’ means any animal, insect, disease agent or other organism in any stage of development that is detrimental or potentially harmful to agriculture, or horticulture, or animal or public health, or natural resources including native biota or has an adverse effect on the environment **as determined by the Board.**” (emphasis added)

The process by which HDOA designates pests is confusing and unclear. There is no process for the Board to determine that a species or taxon is a pest, as described in the definition. Chapter 69A HAR attachment 1 contains a list of taxa “designated as pests for control or eradication purposes.” The list of pests designated by rule as pests for control or eradication purposes should be limited to those pests that HDOA intends, by itself or with partners, to actively

#34

control or eradicate using treatments on public and privately-owned infested areas. The list of taxa that HDOA wants to restrict from spreading across the States but does not necessarily intend to actively control or eradicate should include a much wider variety of pests. As the Board does not have a process to determine that a species or taxon is a pest, section 4-12-15 HAR is the place to list those pests. Examples of added taxa are hala scale, two-lined spittlebug, citrus huanglongbing, citrus canker, and citrus black spot. These are diseases and pests of agriculturally and culturally significant plant and range species. We applaud HDOA for proposing to designate these and the other important species as pests that should be prevented from spreading across the State.

These amendments were unanimously approved by the Advisory Committee on Plants and Animals on February 15, 2023, the Board of Agriculture on February 28, 2023, and the Small Business Regulatory Review Board on May 30, 2023. Each of these approvals occurred at a noticed public meeting that provided the opportunity for written and oral public testimony. To date, there has been no public testimony in opposition to the proposed chapter 72 amendments. We strongly urge HDOA to consider only testimony and comments provided through the rulemaking process established under chapter 91, Hawaii Revised Statutes, and under HDOA's regulations in chapter 1, title 4 HAR. This process provides the regulated industries, other stakeholders, and the public the opportunity to provide testimony on the record and in a transparent manner.

We appreciate all the work HDOA, the Plant Industry Division, and the Plant Quarantine Branch have put into HDOA's proposed amendments to chapter 72 HAR. We urge HDOA to continue to advance these proposed amendments moving forward as quickly as possible.

Thank you for the opportunity to provide testimony on these amendments.

Aloha,



Christy Martin  
CGAPS Program Manager



Stephanie Easley  
CGAPS Legal Fellow



#35

**Ho, Jonathan K**

---

**From:** techs\_tiara0j@icloud.com  
**Sent:** Wednesday, January 24, 2024 4:34 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for the Jan 30 2024 meeting of the Board of Agriculture

Aloha Chair Hurd and members of the board,

I am writing in strong support of the proposed amendments to Title 4, Subtitle 6, Chapter 72, HAR, entitled "Plant and Non-Domestic Animal Quarantine and Plant Intrastate Rules." The Hawai'i Department of Agriculture should have the authorities and responsibilities to regulate the movement of pest host material, to quarantine infested areas, and to charge fees for inspections to recoup costs. While the nursery trade is an important stakeholder for the Department, it must be fairly regulated in order to protect other growers, the residents of Hawai'i, and our natural resources.

I am submitting this testimony in my personal capacity and not on behalf of an employer.

Thank you for your consideration.

Josh Atwood

# 36

**Ho, Jonathan K**

---

**From:** Bob Douglas <danhieux@yahoo.com>  
**Sent:** Wednesday, January 24, 2024 5:13 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

My name is Bob Douglas and I support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

Our way of life must be protected, these are sensible regulations, we must be able to stop pests sooner, before they become widespread.

For these reasons, I ask that you please enact these changes to chapter 72.

Aloha,

Bob Douglas  
danhieux18@icloud.com  
Instagram.com/danhieux  
808 333-0402

#37

Ho, Jonathan K

---

**From:** Tlaloc Tokuda <tlalocct@hotmail.com>  
**Sent:** Thursday, January 25, 2024 10:52 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I (tlaloc tokuda) support(s) the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

Our way of life must be protected, these are sensible regulations, we must be able to stop pests sooner, before they become widespread).

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,  
tlaloc tokuda



**Ho, Jonathan K**

---

**From:** Chuck Chimera <cgchimera@gmail.com>  
**Sent:** Thursday, January 25, 2024 11:16 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I am submitting testimony in support of proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which will provide regulatory tools to assist in community efforts to prevent the spread of harmful invasive species.

As a Big Island resident, I've seen how invasive pests like the little fire ant (LFA) harm agriculture, local food security, our native ecosystems, the health of our residents and pets, and otherwise seriously degrade our overall quality of life.

I'm very fortunate that my neighborhood in Honokaa is currently free of LFA, but I am terrified every time my wife brings home a plant from another part of the island where LFA are established. I'm constantly reminding her to test the plants for LFA, and other pests, before planting them anywhere in the yard, or bringing them into the house.

Now that LFA, coconut rhinoceros beetles, and other pests are being found throughout the islands, we need all the help we can get to slow the spread of these and other harmful pests, including giving HDOA the ability to stop the sale or movement of infested plants and other materials

I'm especially worried that certain nurseries or businesses will continue to knowingly sell infested plants and commodities if not legally prevented from doing so. The proposed amendments would hopefully reduce the chances that a family member or neighbor would accidentally bring home an LFA-infested plant, or other item that would irreversibly change the quality of living in our little neighborhood.

For these reasons, I urge and pleas with the Board to pass the proposed rule amendments.

Mahalo for your time and attention.

Chuck Chimera  
[cgchimera@gmail.com](mailto:cgchimera@gmail.com)  
Honokaa, Hawaii

#39

**Ho, Jonathan K**

---

**From:** Becky Erickson <becky@blueginger.com>  
**Sent:** Thursday, January 25, 2024 12:28 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony: HDOA invasive species rule amendment

Regarding: Proposed Amendments to **Title 4, Subtitle 6, Chapter 72**, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"

To whom it may concern,

I am writing to give my support to this amendment to enable HDOA to stop the sale to the public of plants and other merchandise that is infested with invasive pests.

These pests are detrimental to the lives of many of our beautiful and necessary plants growing in the islands. It is very important that the movement of these pests be stopped. Unfortunately, legal action is required to do this, because there are businesses that care more about their profits than about the long term health of plants in Hawaii.

These rule amendments also include measures to reduce the spread of Coconut Rhinoseros Beetle, which could destroy all of our palm trees is not stopped.

I have lived on Maui for 40 years and understand the importance of controlling invasive species and hope this amendment will be passed.

Sincerely,  
Becky Erickson  
P.O. Box 1032  
Haiku, HI 96708  
808-250-3575

#40

**Ho, Jonathan K**

---

**From:** Deirdre Roney <abitofearth7@gmail.com>  
**Sent:** Thursday, January 25, 2024 12:39 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I am a small farmer in Holualoa and i support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

I have wrestled with how to organically protect plants and the general environment in the face of invasive pests. It is a struggle. I feel these new rules will help people like me fulfill our desire and obligation to protect and preserve our best possible relationship with the aina.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,  
Deirdre Roney  
Trippy Dish Farm  
Holualoa, Hawai'i



#41

**Ho, Jonathan K**

---

**From:** Karly <karlyamorgan@gmail.com>  
**Sent:** Friday, January 26, 2024 2:10 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

It should absolutely be illegal to sell plants infested with Little Fire Ants.

Karly Morgan  
Honeysuckle Removal LLC  
[karlyamorgan@gmail.com](mailto:karlyamorgan@gmail.com)

HoneysuckleRemoval.com  
513-319-5663

#42

**Ho, Jonathan K**

---

**From:** Stephen Canham <swc1837@gmail.com>  
**Sent:** Friday, January 26, 2024 6:54 AM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** Senator Jarrett Keohokalole  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Dear Chair Hurd and Members of the Board of Agriculture,

I fully support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

To delay or to defer action at this point is unconscionable. We know all too well what invasive species do in Hawaii. Please act courageously and expeditiously. I have been shocked and angered that commercial nurseries are seemingly being "allowed" to distribute LFA. Even if it is "legal" for them to do so, it is not pono and this must be stopped immediately. Please do all within your power to contain and eradicate the menace of LFAs.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. These amendments will enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. Again, this is critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

I respectfully urge the Board to pass the proposed rule amendments. Mahalo nui for the opportunity to testify.

Stephen Canham, PhD  
46-156 Nahiku Place  
Kaneohe, HI 96744

#43

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'AINA  
SYLVIA LUKE  
DEPUTY GOVERNOR | KA HOPE KIA'AINA



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



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

Testimony of  
DLNR-DOFAWKaulunani Urban and Community Forestry Program

Before the Hawai'i Department of Agriculture  
PLANT QUARANTINE BRANCH

Tuesday, January 30, 2024  
6:00 PM

In consideration of  
*Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii  
Administrative Rules (HAR)*

The Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR) would enable HDOA to prevent the spread of harmful invasive species through common horticultural vectors. The Department of Land and Natural Resources Division of Forestry and Wildlife Kaulunani Urban and Community Forestry Program provides this testimony in **strong support** of these amendments.

The proposed amendments are aligned with the mission of the Department's Kaulunani Urban and Community Forestry Program, which is to "support all of Hawaii's communities with a focus on equity to cultivate well-being and resilience through restorative and environmental justice, planting, caring for, and growing relationships with the trees and forests where we live, work, learn and play." The Kaulunani Program, in alignment with our state Forest Action Plan, prioritizes invasive species prevention and control as part of our efforts.

Established invasive species such as coconut rhinoceros beetle (CRB) have rapidly harmed O'ahu's urban trees (e.g. street and park trees, trees on private property) in residential and commercial areas, as well as on farms. It has even moved into our forest reserves where it is impacting native palms such as loulou. CRB poses a unique risk as it feeds on and kills coconut trees, the most frequently inventoried municipal tree in the City and County of Honolulu.

Little fire ant (LFA) is distinct as well in that it threatens public health and community engagement with urban forests, plus the health of other animals who rely on urban forests. New pests, or those introduced to new areas, pose a steady risk to the health of our forests and our



ecosystems. Once established, invasive species ultimately affect our communities, environment, sense of place, identity, economy, and way of life.

HDOA needs authority to take action against vectors of invasive species, and ultimately extend their contributions in the fight to protect Hawai'i's urban forests, remote forests, agricultural and horticultural industries, and communities alike from the threats and impacts of injurious pests. As highlighted by the proposed amendments, stopping pests early and at critical control points is essential to avoid widespread harmful impacts.

Mahalo for the opportunity to provide testimony in support of these proposed amendments.

#44

Testimony of David G. Smith

Before the Hawai'i Department of Agriculture, Plant Quarantine Branch

Tuesday, January 30, 2024

Subject: *Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules, Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules*

The Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR) would enable HDOA to prevent the spread of harmful invasive species through common horticultural vectors such as potted plants, compost and other pest host material, and potting soil. I want to testify in **strong support** of these amendments.

The **Coconut rhinoceros beetle** (CRB) has gotten out of control and threatens the existence of all the coconut trees in Hawaii and a host of other plant species. CRB has moved from urban areas into the forests, impacting native palms and potentially other native and cultural plants. As such, CRB poses a risk mauka to makai to the islands' **landscapes, culture, and economy** as it feeds on and **kills coconut trees**, an iconic tree in the Hawaiian Islands.

**Little fire ant** (LFA) threatens **public health**, Hawaii's **endemic species**, and Hawaii's **economy**.

The spread of damaging pests risks the health of our watershed forests and our native ecosystems. Once established, **invasive species ultimately affect our communities, environment, economy, and way of life**.

**HDOA needs the authority to take action** against invasive species and fight to protect Hawaii's forests, agriculture, and communities from the threats and impacts of injurious pests.

These rule amendments also include sensible measures to reduce the spread of CRB around Oahu.

Stopping pests early and at critical control points in their spread is essential to avoid widespread harmful impacts. The Hawaii Department of Agriculture having the authority to curtail the movement of materials that could exacerbate the spread of invasive species is critically needed.

Please support the proposed amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules.

David Smith  
[Kawika.smith@earthlink.net](mailto:Kawika.smith@earthlink.net)  
808.225.5614

#45

**Ho, Jonathan K**

---

**From:** Clemens Mayer <cjmayer@hawaii.edu>  
**Sent:** Friday, January 26, 2024 10:05 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] STRONG SUPPORT – Amendments to HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

Clemens Mayer

-----  
Clemens (Clé) Mayer  
*he/they; hij/hen; 'o ia*  
University of Hawai'i at Mānoa Dept. of Linguistics  
PhD Candidate  
Austronesian Circle Organizer  
Online Learning Coordinator AY23-24  
Student Representative AY23-24



#46

Hawaii Department of Agriculture  
6 p.m. January 30, 2024  
Plant Quarantine Branch Conference Room  
1849 Auiki Street  
Honolulu, Hawaii 96819

Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

My name is Ambyr Miyake and I support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

I am in support of the proposed changes because I have first-hand been bitten by Little Fire Ants and I don't want my daughter to have to live a life indoors due to the potential for LFA infestations to grow so large here on Oahu like it is on Hawaii Island. We must protect our way of life with these sensible regulations and we must also be able to stop the spread of harmful invasive species from ruining our way of life here in the islands.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,  
Ambyr Miyake  
[ambyrmlce@gmail.com](mailto:ambyrmlce@gmail.com)  
(808) 989-7222

#47

**Ho, Jonathan K**

---

**From:** Zack Geist <zgeist@gmail.com>  
**Sent:** Friday, January 26, 2024 10:46 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

I feel that nurseries should be mandated to not spread fire ants or other pests. I have had plants on my porch and then had fire ants come into my room from them and bite me in the middle of the night.

I go through great care to keep fire ants off of our farm and it's a great pain to treat all potted plants that come in.

Zack  
Sent from my iPhone

#48

**Ho, Jonathan K**

---

**From:** Matthew Lau <mk@mklau.info>  
**Sent:** Friday, January 26, 2024 11:31 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for Invasive Species Rules Meeting Jan 30 at 6pm

Aloha mai, I would like to provide testimony for the hearing on Jan 30th considering proposed rule amendments that would enable HDOA to stop the sale to the public of plants and other merchandise that are infested with invasive pests.

- Hawai'i has extremely high rates of non-native species introductions, many of which cause large-scale ecological and economic damage.
- The Little Red Fire Ant alone is estimated to have caused damages totaling \$194M in single year (presented in a [Report by the Hawaii Invasive Species Council Actions](#)).
- Given that these sales play a key role in the spread of species identified as highly invasible, the regulation of these products is a key way to prevent further spread and the potential for control.

I support providing HDoA with the legal authority to control the sale and distribution of any products where they have identified a the risk of spread of these invasive species.

Mahalo me ke aloha pumehana,

Matthew Kekoa Lau, *Ph.D.* (['o ia / he / him](#))  
MA'O Organic Farms  
Organic Workforce Expansion Specialist  
[Farm Expansion Experience \(FE'E\)](#)

*Ma ka hana ka 'ike, ma ka 'ike ka mana.*

[Read our latest Newsletter!](#)  
[maoorganicfarms.org](http://maoorganicfarms.org)





#49

P.O. Box 893953  
Mililani, Hawaii 96789-0953  
(808) 381-1342

January 26, 2024

**Subject: Testimony Regarding the Proposed Hawaii Administrative Rules Amendments  
Chapter 4-72**

I am writing to support the proposed amendments of Hawaii Administrative Rules Chapter 4-72, Title 4 Department of Agriculture, Subtitle 6 Division of Plant Industry.

Hawaii Department of Agriculture (HDOA) must have the authority to stop the willful harboring of target pests harmful to plants, such as Coconut Rhinoceros Beetle (CRB), and harmful to people, such as coqui frog and Little Fire Ant (LFA), as well as the ability to stop the movement of infested materials in- and out-island. This is also critical for the protection of our environment, including our native species, many of which are endangered and at risk.

As a Certified Arborist with my own consulting company, I have seen firsthand the devastating impacts of invasive species, such as Coconut Rhinoceros Beetle, Little Fire Ant, and Rapid 'Ōhi'a Death, to our environment, along with the economic impact of eradication and containment efforts. We can maximize the effectiveness of our limited resources by "putting some teeth" into the rules that HDOA operates under. This also allows for fairer competition, where all business owners, such as plant nurseries, are operating under the same rules. I have heard anecdotally of nursery owners having to spend resources to re-eradicate LFA that is coming into their nurseries from a neighboring nursery that is not voluntarily controlling the pest.

I should also note that one of my clients has been battling an infestation of LFA. I informed my client that the Best Management Practices (BMPs) call for leaving green waste at the property and treating it there rather than spreading LFA by transporting the green waste to other areas. The client responded that it would do what was required by law, and since the law did not require compliance with the BMPs, it would not do so. This was due to the increased costs of double handling the green waste plus the pest control treatment.

In addition, nursery owners have told me that they have lost tens of thousands of dollars' worth of palms to CRB infestations. If these revised rules had been in effect ten years ago and a quarantine implemented, it is likely that we would have eradicated this pest instead of allowing it to spread statewide with devastating impacts to our agriculture industry and likely our native loulou palms.

In reading the revisions to the rules, I was concerned that I did not see sections on coqui frog or LFA. I was told that because these pests do not directly harm the host plants, they are covered elsewhere in the Hawaii Revised Statutes. If this is not the case, please ensure that such legislation is passed so that all pests are properly dealt with.

Should you have any questions or would like additional information, I can be reached at [carol@carolkwanconsulting.com](mailto:carol@carolkwanconsulting.com).

Very truly yours,

A handwritten signature in black ink, appearing to read "Carol L. Kwan". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Carol L. Kwan

#50

**Ho, Jonathan K**

---

**From:** Hannah Hartmann <hh315@hawaii.edu>  
**Sent:** Friday, January 26, 2024 1:58 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in SUPPORT of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Aloha e chairperson Sharon Hurd,

My name is Hannah Hartmann, I am a Bioremediation Ecologist and Hilo resident greatly concerned about the biosecurity of our Islands. I wanted to express my strong support for the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawai'i.

I ask that you please enact these changes to chapter 72.

Hannah Hartmann  
96720



#51

**Ho, Jonathan K**

---

**From:** Jo Ann Tsark <umilani@gmail.com>  
**Sent:** Friday, January 26, 2024 2:16 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Written Testimony in support of proposed amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"

I am writing in full support of the **proposed rule amendments that would enable HDOA to stop the sale to the public of plants and other merchandise that are infested with invasive pests** such as plants infested with Little Fire Ants (LFA) or bags of compost containing Coconut Rhinoceros Beetle (CRB). **I support the rule amendments providing HDOA the authority to require the business to treat the area before the merchandise is sold to the public when the merchandise is stored in an area that is also found to be infested with an invasive pest.** The horticultural trade (nurseries and garden centers) is one of the primary ways that invasive pests and plant diseases arrive in Hawaii and these rule amendments empower HDOA to prevent the spread of those pests.

The authority to stop a business from selling pest-infested merchandise and to require the business to treat infested areas of their stores is a basic, common-sense authority regularly used by other States to protect consumers, agriculture, and the environment. These rule amendments would provide both the incentive for nurseries and garden centers to be part of the solution and also the potential for consequences for not taking responsibility for addressing known infestations.

This rule is needed both to ensure that HDOA can take action on the small number of nursery and garden shop business owners that are known, on-going "bad actors" and to immediately address other situations where some specific merchandise is discovered to have a pest infestation. **Stopping pests early and at critical control points protects other nurseries, garden shops, the entire agricultural industry, the environment, and the public.**

**These rule amendments also include sensible measures to reduce the spread of CRB around Oahu in green waste, palms, and other products that serve as "host material" for CRB adults or larvae and to prevent CRB from further spreading from Oahu to other islands.** The amendments require businesses that transport or process CRB host material on Oahu to use best management practices to prevent further spread of CRB and suppress existing populations. The amendments provide HDOA the flexibility to modify those best management practices and restrictions on host material movement to address the changing CRB infested areas.

Mahalo

**JoAnn Umilani Tsark MPH**

Director, Community Based Research Core for

Ola HAWAII (U54MD007601)

UH John A. Burns School of Medicine

Phone: (808)721-7511 E: [umilani@gmail.com](mailto:umilani@gmail.com) or [tsark@hawaii.edu](mailto:tsark@hawaii.edu)

#52

**Ho, Jonathan K**

---

**From:** Kau'i Baumhofer Merritt <kau.i.baumhofer@gmail.com>  
**Sent:** Friday, January 26, 2024 5:04 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Aloha,

I support the proposed rule amendments that would enable HDOA to stop the public sale of plants and other merchandise that are infested with Little Fire Ants or Coconut Rhinoceros Beetle. As an epidemiologist, a mother, and a Native Hawaiian I value our biosecurity and the land that cares for us. I urge the HDOA to do everything possible to protect our fragile environment.

Me ka 'oia i'o,  
Dr. Kau'i Merritt

--

N. Kau'i Baumhofer Merritt, ScD, MPH, MA  
Assistant Professor of Indigenous Health Sciences  
[linkedin.com/in/kauibaumhofer/](https://www.linkedin.com/in/kauibaumhofer/)

(pronunciation: <https://nmdrp.me/kauimerritt>)





#53

*For the Protection of Hawai'i's Native Wildlife*  
**HAWAII AUDUBON SOCIETY**  
850 Richards Street, Suite 505, Honolulu, HI 96813-4709  
office@hiaudubon.org    <https://hiaudubon.org/>

**Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"**

**PUBLIC HEARING: Hawaii Department of Agriculture Plant Quarantine Branch**

January 30, 2024, at 6:00 PM.

Department of Agriculture, Plant  
Quarantine Conference Room, 1849 Auiki Street, Honolulu, Hawaii

By  
John T Harrison, III, Ph.D.  
Hawai'i Audubon Society

The proposed rule amendments would enable Hawaii Department of Agriculture (HDOA) to stop the sale to the public of plants and other merchandise that are infested with invasive pests such as plants infested with Little Fire Ants (LFA) or bags of compost containing Coconut Rhinoceros Beetle (CRB). Also, if the merchandise is stored in an area that is also found to be infested with an invasive pest, these rule amendments provide HDOA the authority to require the business to treat the area before the merchandise is sold to the public.

My statement on these proposed amendments constitutes the organizational position of the Hawai'i Audubon Society.

As stated in the Notice of Public Hearing, the intent of the proposed amendments includes, but is not limited to, "Implement[ing] Fees for Inspections and the Processing and Issuance of Permits; Establish[ing] Authority to Prohibit the Movement of Infested Materials Within the State".

The Society strongly supports both the intent of these amendments as well as the broader mandate for the Department of Agriculture to eradicate and control the Little Fire Ant (LFA, *Wasmannia auropunctata*) and other pests (ref. HAR Title 4 Subtitle 6 §4-69A-4).

LFA infestation poses serious ecological and economic threats to Hawai'i, as documented by Lee, et al (2015). Their extensive calculations concluded:

**[A]n increase in management effort is economically and socially warranted as the island economy would realize net benefits of \$5 billion in total cost savings including a reduction in economic damages of \$540 million and avoidance of 2.1 billion human sting incidents over 35 years.**

The Society has particular concerns regarding impacts of ant infestation on endemic Hawaiian seabirds, many of which are ground-nesting. The American Bird Conservancy has noted that "injuries to nesting





For the Protection of Hawai'i's Native Wildlife  
**HAWAII AUDUBON SOCIETY**  
850 Richards Street, Suite 505, Honolulu, HI 96813-4709  
office@hiaudubon.org    <https://hiaudubon.org/>

seabirds can be extreme, including loss of webbing on their feet, malformed bills, difficulty breathing (due to injury to the nasal cavity), and inflamed eyes or overgrowth of skin around the eye that can lead to blindness" (Farmer, 2017.) According to Sheldon Plentovich, U.S. Fish and Wildlife Service (USFWS) Coastal Program Coordinator, "injuries to nesting seabirds can be extreme, including loss of webbing on their feet, malformed bills, difficulty breathing (due to injury to the nasal cavity), and inflamed eyes or overgrowth of skin around the eye that can lead to blindness." Hawai'i Audubon owns and manages an endemic Wedge-tailed Shearwater nesting ground, the Freeman Seabird Preserve. FSP Manager Wendy Johnson notes that not only are the birds vulnerable to attack from ants, the many volunteers who tend to the Preserve would be severely hampered in their maintenance activities and discouraged by aggressive stinging ants.

### **Suggested Amendments to the Proposed Rule Changes**

HAS welcomes the proposed changes to Chapter 4-72 HAR, and we offer the following additional amendments to further strengthen the authority of the HDOA towards successful eradication of LFA infestations.

1. **§4-72-1 Objective.**

Amend this proposed section as follows: *...to prevent the spread and establishment of plant pests detrimental to agriculture, horticultural industries and forest lands on infested and uninfested islands and in infested and uninfested localities of the State.*

HDOA is required by law to "develop and implement a detailed control or eradication program" for designated pests (ref HRS 141 3-3(a)). The LFA is designated a pest species by rule (ref. §4-69A-4). Thus, DOA is required to eradicate LFA, but as written, the objective of the Rule allows for the continued distribution of infested materials to areas where an infestation already exists.

2. **§4-72-4 Prohibited Transportations.**

Delete the following from §4-72-4(b): *The ~~chief~~SPRO may, however, authorize the transportation of an untreated infestation ~~commodity~~or infected pest host material to an island or location where the insect, disease, or pest is known to be established.*

This discretionary authorization, as written, undermines the efficacy of the intent to both eradicate and prevent further infestation. Allowing further infestation is in conflict with the regulatory intent of control or eradication as prescribed in HAS §141-3.5(a) **Control or eradication programs. (a) The department of agriculture shall develop and implement a detailed control or eradication program for any pest designated in section 141-3, using the best available technology in a manner consistent with state and federal law.**

3. **§4-72-5 Prohibition on movement of infested material.**

Delete paragraph (b)(3)(B) of §4-72-5: **§4-174-5(b) An item subject to the prohibition in subsection (a) shall be:**

- (1) Subjected to a treatment to eradicate the insect, disease, or pest, as approved and supervised by the SPRO;



*For the Protection of Hawai'i's Native Wildlife*  
**HAWAII AUDUBON SOCIETY**

850 Richards Street, Suite 505, Honolulu, HI 96813-4709

office@hiaudubon.org    <https://hiaudubon.org/>

- (2) Destroyed using a method approved and supervised by the SPRO; or  
(3) If not treated or destroyed under paragraphs (1) or (2), then:

(A) Transported only pursuant to a permit issued by the SPRO; or  
~~(B) Subject to any other disposition approved by the SPRO, including authorizing the transportation of untreated infested or infected pest host material or an insect, disease, or pest to an island or location where the target insect, disease, or pest is known to be established.~~

As previously noted, the HDOA is mandated by HRS 141-3.5(a) to "control or eradicate" designated pest species. This paragraph sanctions augmenting an existing pest population, which is the antithesis of eradication or control.

The American Bird Conservancy's Hawai'i Program Director noted in 2017 that enhanced public concern and growing political awareness over widespread infestation by Little Fire Ants could signal a tipping point in State commitment of additional resources towards effective control (Farmer, 2017). The HDOA will require dedicated additional funding to meet the LFA challenge, and enacting the proposed amendments can help leverage legislative attention towards addressing invasive ant proliferation. The Hawai'i Audubon Society urges the Department to move decisively towards control and eradication of the LFA.

**References:**

Farmer, Chris, 2017. Invasive Ants in Hawai'i: Small Species, Big Problems. February 23, 2017. <https://abcbirds.org/battling-invasive-ants-in-hawaii/> Accessed, 2-23-2024.

Lee, Donna J., M. Motoki, C. Vanderwoude, S. T. Nakamoto, and PS Leung. Taking the sting out of Little Fire Ant in Hawaii. 2015. *Ecological Economics* 111 (2015) 100-110.



# 54

**Ho, Jonathan K**

---

**From:** Bob Douglas <danhieux18@icloud.com>  
**Sent:** Saturday, January 27, 2024 6:13 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Aloha Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments.

Mahalo nui for the opportunity to testify.

Bob Douglas



#55

Ho, Jonathan K

---

**From:** Warren Maffit <womaffit@hotmail.com>  
**Sent:** Saturday, January 27, 2024 6:17 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Yes I feel the nurseries should be held responsible to eradicate the fire ants in the nurseries instead of making a big problem by spreading the fire ants through the sales of their plants throughout the state of Hawaii because it's affecting our liveliness animals grandchildren family and community can't even go out walking in my yard around my trees without getting bitten especially my grandchildren when they go out to play it's a big problem that hasn't been addressed with the nurseries they're only looking to make the big dollar

Sent from my Galaxy

#56

**Ho, Jonathan K**

---

**From:** Linda Elliott <linda@hawaiiwildlifecenter.org>  
**Sent:** Saturday, January 27, 2024 10:35 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Support of Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"

RE: Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"

I am writing in STRONG SUPPORT of the amendments that will provide the HDOA with the authority to stop a business from selling pest-infested merchandise and to require the business to treat infested areas of their stores. This amendment is a basic, common-sense authority regularly used by other States to protect consumers, agriculture, and the environment. These rule amendments would provide both the incentive for nurseries and garden centers to be part of the solution and also the potential for consequences for not taking responsibility for addressing known infestations. This protects the public and the environment and needs to go into effect immediately.

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

Linda Elliott  
P.O. Box 506  
Hāwāī, HI 96719

#57



## *Hawaii's Thousand Friends*

335 Hahani Street #342132 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [htf3000@gmail.com](mailto:htf3000@gmail.com)

January 27, 2024

State Department of Agriculture  
[hdoa.pq.testimony@hawaii.gov](mailto:hdoa.pq.testimony@hawaii.gov)

### Proposed Amendments to HAR Chapter 4-72

Hawaii's Thousand Friends, a non-profit organization dedicated to ensuring that land use decisions protect natural resources and human health, supports the proposed amendments to HAR Chapter 4-72.

While the little fire ant and the coconut rhinoceros beetle are the latest invasive species and unfortunately unless something drastically changes, they will be the last.

Once entrenched it is a formidable and expensive task to control and hopefully eliminate invasive species.

These rule changes give DOA the needed tools to act quickly to prevent the sale of infested plants and inter-island movement which if left unchecked will negatively impact the environment, public health and devastate the agricultural industry putting food security in jeopardy.

It is extremely troubling to learn that some nurseries and other businesses knowingly sell infested plants. Greed over people's well-being and protecting the environment is not acceptable.

The little fire ant is the latest invasive species to rapidly spread harming people, their pets, the environment, and agriculture so we ask you to consider adding a new section to specifically;

- Define materials that are hosts for LFA.
- Prohibit the interisland movement of LFA host material except by permit.
- Prohibit interisland movement of any LFA infected plant or host material.
- Identify LRFA hot spots on all islands.



#58

**Ho, Jonathan K**

---

**From:** c.fukuhara@att.net  
**Sent:** Saturday, January 27, 2024 12:48 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

I support the proposed amendments to Chapter 72 rules to pest-infested plants or products to the public and to treat the area where infested items have been stored.

Cordie Fukuhara

#59

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  
DEAN D. IWEHO  
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

January 30, 2024

**TO:** Hawaii'i Department of Agriculture, Plant Quarantine Branch

**FROM:** Dawn N.S. Chang, Chairperson  
Department of Land and Natural Resources and   
Co-Chair, Hawaii'i Invasive Species Council **DGS**

**SUBJECT:** Testimony In Support of Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii'i Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"

The Department of Land and Natural Resources (DLNR) is in **strong support** of the proposed amendments to Title 4, Subtitle 6, Chapter 72, Hawaii'i Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules". The proposed rule changes will benefit Hawaii'i's agricultural industry and resources and protect natural and cultural resources from the impacts of invasive species.

These rule amendments are a foundational step to prevent the spread of invasive insects, diseases, and other pests within the state and within individual islands. These rule amendments clarify the Hawaii'i Department of Agriculture's (HDOA) authority to stop the sale of plants and other merchandise that are infested with invasive pests, such as Little Fire Ants (LFA) or Coconut Rhinoceros Beetle (CRB). Also, if the merchandise is stored in an area that is also found to be infested with an invasive pest, these rule amendments authorize HDOA to require the business to treat the area before the merchandise is sold or otherwise distributed to the public. The horticultural trade (e.g. nurseries and garden centers) is one of the primary ways that invasive pests and plant diseases arrive in Hawaii'i and move around the islands. These rule amendments empower HDOA to prevent the spread of those pests.


DLNR has witnessed the spread of pests like CRB and LFA from communities and businesses into natural areas. Last year, the O'ahu Army Natural Resource Program reported the first death of critically endangered loulu palm (*Pritchardia kaalae*) from CRB in the Wai'anae Mountains. These pests threaten the health of our native species, ecosystems, and cultural practices. The proposed amendments are needed to better equip HDOA with the means to protect our islands from the spread of invasive species.

DLNR endorsed the 2017-2027 Hawai'i Interagency Biosecurity Plan, along with HDOA. The Biosecurity Plan is the State's comprehensive strategy to preventing and managing invasive species. Identified in the plan is the need for two high priority actions that would be accomplished through approval of these proposed amendments:

- PostBorder Policy 1.3: A comprehensive approach to minimize the interisland movement of plant pathogen and pests via the interisland transport of agricultural products.
- PostBorder Policy 1.5: Update HAR Chapter 4-72 to further prevent the interisland movement of pathogens and pests via soil as one of the highest priority actions.

The proposed changes to HAR Chapter 72 are essential to managing the threat of invasive species and moving toward a more bio-secure Hawai'i. We appreciate all the work HDOA, the Plant Industry Division, and the Plant Quarantine Branch have put into HDOA's proposed amendments to HAR Chapter 72 HAR. We urge HDOA to continue to advance these proposed amendments moving forward as quickly as possible.

Mahalo for the opportunity to provide testimony in support.

Signature: 

Email: david.g.smith@hawaii.gov

Signature: 

Email: dawn.chang@hawaii.gov



#60

**Ho, Jonathan K**

---

**From:** Christian Kealohapauole Phillips <hokunuiakea@gmail.com>  
**Sent:** Saturday, January 27, 2024 6:15 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] "Testimony - Ch. 72"

Aloha. I believe and support any and all actions taken for the aggressive measures to ensure a stop to the spread of invasive species in the Hawaiian islands, from fire ants - to all others. Our islands are worth saving and preserving, and I hope my support for that makes a difference.

#61

**Ho, Jonathan K**

---

**From:** Kevin Faccenda <faccenda@hawaii.edu>  
**Sent:** Saturday, January 27, 2024 7:26 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony regarding LFA

I strongly support any regulation which would make it illegal to sell plants, soil, mulch, or any other agricultural product infected with little fire ant (LFA) or coconut rhinoceros beetle (CRB). I also strongly support funding inspections to ensure nurseries are in compliance. These insects are a menace to the landscape of Hawai'i, both to our people, making agriculture more difficult due to constant bites, and to our environment as LFA predate on native insects, birds, and farm aphids, scale, and other homopterans which are detrimental to the health of Hawaiian ecosystems. There is no excuse why anybody should be selling LFA or CRB infested plants when it is widely known how destructive these pests are in Hawai'i.

Thank you for your consideration,  
Kevin Faccenda

#62

**Ho, Jonathan K**

---

**From:** Jamie Miller <jmill1427@gmail.com>  
**Sent:** Saturday, January 27, 2024 9:43 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I, Jamie Miller, support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

We need these sensible regulations to protect the general public from invasive pests that will cause more havoc and cost more money to manage down the line. The general public should not bear the responsibility dealing with these serious invasive species.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,  
Jamie Miller



#63

**Ho, Jonathan K**

---

**From:** Emily Martin <MartinE@nwf.org>  
**Sent:** Sunday, January 28, 2024 8:44 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

**Emily Martin** | she/her  
**Director of Conservation Partnerships**  
**Hawai'i | Alaska | California**  
[National Wildlife Federation](#)  
mobile: 651-757-8775

#64

**Ho, Jonathan K**

---

**From:** lulu 21 <millan.lourdes1@gmail.com>  
**Sent:** Sunday, January 28, 2024 9:40 AM  
**To:** HDOA,PQ,TESTIMONY  
**Subject:** [EXTERNAL] Subject Line: Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

[Optional: include your own story, perspective, or experiences with invasive pests here.]

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Lourdes Millan  
WNB32 Member and resident of Waimanalo

#65

**Ho, Jonathan K**

---

**From:** Leimana Ritte-Camara <leimana@hoahuenergy.coop>  
**Sent:** Sunday, January 28, 2024 11:24 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony - Support Changes to Hawaii Ad Rules Ch 4-72

Welina Mai Me Ke Aloha Pumehana e Chairperson Sharon Hurd,

My name is Leimana Ritte-Camara born and raised on the precious island of Molokai Nui A Hina.

I support the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

I choose to live here and will remain here for the rest of my life. I choose to raise my keiki here and hope that generations to come can experience the abundance of our 'āina. I will protect Molokai with all that I am and will fight for the support from agencies to do the same for Molokai. We have fought to protect Molokai from pests and invasive species for years and will continue to do so and hope that our voices are heard!

We rely on our natural resources and gathering rights to feed our families, we need to protect what we have left so that our keiki and generations after can have the same.

For these reasons, I ask that you please enact these changes to chapter 72.

Me Ka Ha'aha'a,  
Leimana Ritte-Camara



#66

**Ho, Jonathan K**

---

**From:** Matt Yamashita <molokaimatt@hotmail.com>  
**Sent:** Sunday, January 28, 2024 1:45 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Hawaii Department of Agriculture  
6 p.m. January 30, 2024  
Plant Quarantine Branch Conference Room  
1849 Auiki Street  
Honolulu, Hawaii 96819

Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I am a lifelong resident of Molokai, a freelance filmmaker, a fisherman and hunter, and a longtime community advocate through my work as a non-profit board member over the past 15+ years. I support the proposed changes to chapter 72, Hawaii Administrative Rules which are critical in preventing the continued spread of harmful invasive pests within Hawaii.

In my 45 years living in Hawaii, I have seen firsthand how invasive species can seriously alter both the environment and our quality of life. Invasive species can seriously impact residents' ability to live peacefully and to practice cultural practices. They can impact the economy and even create health and safety hazards. They also create massive imbalances within our local ecosystems, which threatens our native species and watersheds. We really need to do as much as possible to control the further spread of invasive species both as government and as communities. Stopping pests early and at critical control points protects other nurseries, garden shops, the entire agricultural industry, the environment, and the public.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,

**Matt Yamashita**

Owner, [Quazifilms Media](#)

808.442.2740 cell

PO Box 1304, Kaunakakai, HI 96748

#67

January 28, 2024

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on the Puna district on Hawai'i Island, invasive pests like the little fire ant (LFA) not only devastated my family's lifestyle, our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations. We lived with this havoc and painful pests for over 20 years. This needs to STOP!

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, I hold you accountable to your title as Chair and the members of the Board of Agriculture to pass these **common sense** amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species.

Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

I strongly urge the Board to PASS the proposed rule amendments.

**Puna District, Hawai'i Residents**

Jules Peleiholani

Dale Kaawaloa

Kaila Kaawaloa

Manea Kaawaloa

#68

**Ho, Jonathan K**

---

**From:** Helene Jo <helenesjo@yahoo.com>  
**Sent:** Sunday, January 28, 2024 5:57 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony on proposed amendments to Chapter 72 rules

Dear Friends in the Department of Agriculture,  
The amendments to Chapter 72 rules are a start but in my opinion do not go far enough. Until there are regular and ad hoc nursery inspections, the movement of target invasive species will continue within each island. I realize it is another step to work on the compliance requirements but UH/HDOA could be directed to work on this cooperatively and coordinate their efforts. Feedback by the nursery and retail industry should be considered. Funds will need to be allocated to support UH/HDOA to perform/oversee the inspections and perform administrative work but funding cannot be used as a reason not to address the threat. Retailers that sell plants and mulch should be required to have a copy of the supplying nurseries' state certification documenting the plants and mulch are target invasive species free. Like everything else it will be more difficult and expensive to treat rather than prevent and we are running out of time. My son and his family live in Puna and I have seen how the fire ants have practically blinded their cats and listened to the nightly coqui frog serenade. I live in Kaneohe near a fire-ant infected area and fear for the further spread. Other businesses and industries have inspection and certification processes to protect the public. We need this.

Sincerely,  
Helene Jo



#69



Department of Agriculture  
Plant Quarantine Conference Room  
0849 Auiki Street, Honolulu, Hawaii  
Aloha Chair Hurd,

My name is Johnny Gordines we are tropical flower Farmers on Kauai and Kauai Director of Hawaii Floriculture and Nursery Association.

This letter is in regards to the proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules. This will implement rules for inspections and the processing and issuance of permits regarding quarantine restrictions on Coconut Rhinoceros Beetle (CRB) as well as host materials. Fees for inspection, processing and permits. Authorize authority to prohibit movement of product within the state of Hawaii. Penalties for non compliance

Our floriculture business feels there is a need for Bio security Plan and protocols to address the spread! With the many tasks involved it is a necessity to adequately fund the Department with resources and personnel to get the job done! Plants and trees grow through the islands that attract pests and diseases this is a part of the natural agricultural environment. We are in business to grow and ship our flowers and foliage with Best Management Practices to provide clean product in the field and post harvest operations. These changes may hold our nurseries and farmers criminally liable if a pest is discovered. We need the help with adequate resources from the HDOA to receive advice to manage and control pests and diseases. We need all industry and government parties to work together to solve the problems.

We support funding and inspectors for HDOA to continue the fight! The downside is that nurseries may be quarantined for violations may be shut down and unable to receive income especially with no explanation as to how long the quarantine process will last!

The section regarding the position of the SPRO needs to be clearly identified and the position must remain within the HDOA that has the experience and expertise with production agriculture.

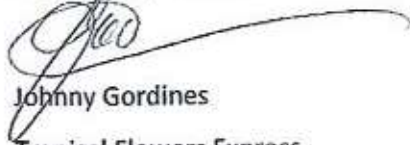
The pest list needs to be scrutinized and reviewed by experts. The resources needed must be put to good use.

Funding and control methods and inspectors for HDOA must be put in place!

Thank you for your review of our concerns and solutions. We can be reached at 808 651-9711 and [gordines@kauaiflowers.com](mailto:gordines@kauaiflowers.com).

Respectfully supporting Hawaii agriculture,

*Johnny Gordines*

A handwritten signature in black ink, appearing to read 'Johnny Gordines', with a long, sweeping horizontal line extending to the right.

Johnny Gordines

Tropical Flowers Express

#70

Ho, Jonathan K

---

**From:** Deborah Chang <kulaiwi@outlook.com>  
**Sent:** Sunday, January 28, 2024 7:22 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Support for Rule Amendments to HAR Chap. 4-72

Aloha,  
My first attempt to send in this testimony was returned as undeliverable. Perhaps the wrong email address is being inadvertently shared. I'm hoping this email address works. I tried to send my testimony (below) on January 27.

January 27, 2024

Aloha Chair Sharon Hurd and Members of the Board of Agriculture:

**SUBJECT:** Support of the proposed rule amendments to HAR Chapter 4-72

I urge you to support the passage of the proposed rule amendments to HAR Chapter 4-72, which are desperately needed to prevent the transportation of infested plants, soil, compost and other plant and garden products within and between the islands.

I own two agricultural properties and am a part-time farmer and beekeeper on Hawai'i Island. I was born and raised on this island and remember when it was safe to transport soil and plants from Hawai'i Island to O'ahu. Not anymore. We are a hotbed of coqui frogs, little fire ants, spittlebugs, avocado lace bug, Queensland Longhorn Beetle, miconia, ... the list goes on and on! Years ago, I was told by a DLNR employee that eradication efforts had been discontinued in Onomea because it was "ground zero" for miconia. You should see that area today. This is the same kind of failure attitude as the recent KITV-4 News report informing viewers that the Hawai'i State Dept. of Agriculture (HDOA) is advising homeowners that they are "on their own" where the coconut rhinoceros beetle is concerned.

Hawai'i needs a HDOA capable of preventing harmful, invasive pests and diseases from getting into our islands in the first place! The rule amendments to HAR Chapter 4-72 are a step in the right direction. However, true agricultural biosecurity for Hawai'i will require regulations and enforcement that are not yet in place.

This is an appeal to HDOA to dedicate utmost effort to defending Hawai'i from the ravages of pests and diseases that threaten local agriculture, food security, native ecosystems, and our very quality of life.

Me ka pono,

Deborah L. Chang  
Pa'auilo, HI 96776  
kulaiwi@outlook.com



# 71

**Ho, Jonathan K**

---

**From:** Kathleen Mishina <kmmishina@gmail.com>  
**Sent:** Sunday, January 28, 2024 8:03 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] HDOA Invasive Species rule amendment to HAR Chapter 72

Aloha,

My name is Kathleen Mishina. I am a resident of Volcano, Hawaii and am writing to support amendments to HAR Chapter 72.

I have personally been impacted by Little Fire Ants (LFA) after purchasing infested plants from our community farmers market. The sale of plants and other infested materials (such as cinders) by home growers at open markets allows invasive LFA to spread unchecked in communities.

I support the SPRO to further require community open markets, farmers markets held on public lands and facilities, to require vendors of plants, flowers and other products such as aggregates, be certified that their products are free of LFA. If a vendor is found to be selling infested products, a fine should apply and the organizer of the farmers market be notified.

This is in the interest of public health and safety since bites from LFA can cause severe itching and allergic reactions. In addition, homeowners bear the long term financial burden for controlling LFA infestation introduced onto their property, which originated from vendors of infested products.

Thank you for your consideration of my testimony. If you have any questions, please do not hesitate to contact me via email: [kmmishina@gmail.com](mailto:kmmishina@gmail.com).

Sincerely,  
Kathleen Mishina

#72

**Ho, Jonathan K**

---

**From:** Cydnee Yamamoto <cydneeiko@gmail.com>  
**Sent:** Sunday, January 28, 2024 8:12 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Chairperson Sharon Hurd,

I support(s) the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

Our ecosystem and communities suffer due to invasive species. Our way of life must be protected, and these are sensible regulations.

For these reasons, I ask that you please enact these changes to chapter 72.

Sincerely,  
C.Yamamoto

#13

**Ho, Jonathan K**

---

**From:** davidsher@juno.com  
**Sent:** Sunday, January 28, 2024 8:14 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Aloha Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawaii Administrative Rules Chapter 4-72, which would provide important regulatory tools that are urgently needed to ensure that current and future community efforts to combat invasive pests will not be futile. These amendments would greatly help us in the fight against the spread of harmful invasive pests.

Living on the Windward side, my neighbors and I are particularly concerned to learn of the alarming proliferation of little fire ants (LFA) infestation sites on Oahu, including areas not far from our own community. Hawaii Island has already been suffering because of these extremely harmful invasive pests and the lack of action to effectively address them. LFA have had devastating impacts there, and not only to agriculture and the economy, but to the environment as a whole and to the quality of life of families in these communities. We need to eradicate LFA throughout the state, and not allow them to continue to spread. Failure to take timely action on LFA will only make it harder and more expensive to address this serious problem.

Please pass these reasonable amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. These amendments are critical. They would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This is essential to stop nurseries and other businesses from knowingly selling infested plants and other items. We must address shameful practices currently allowed by a few "bad actors" that continue to sell products they know are infested with LFA and coconut rhinoceros beetles (CRB), and prevent them from undermining the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

I strongly urge the Board to PASS the proposed rule amendments without delay.

Mahalo nui for the opportunity to testify.  
Sherry Pollack  
Ahuimanu





# 74

Aloha Chairperson Sharon Hurd,

January 28th, 2024

HULI PAC fully supports the proposed changes to Chapter 72, Hawaii Administrative Rules, which are necessary to prevent the spread of harmful invasive pests within Hawaii.

An invasive species is an introduced, nonnative organism (disease, parasite, plant, or animal) that begins to spread or expand its range from the site of its original introduction and that has the potential to cause harm to the environment, the economy, or human health. To stop the spread, we must do better, and this bill does just that through better biosecurity, stricter regulations, and quarantine measures. Farmers know we are so close to being cut off from the Continental US, banning our goods from being shipped off the island. Yet, it doesn't seem to reflect in our advocacy for better policies to instate stricter regulations. We hope this bill can remind us of the integrity of lawmakers who can protect the future of Hawai'i.

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. We have not harvested enough to sell for two seasons.

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.

**For these reasons, please enact these changes to chapter 72.**

Mahalo for your time,  
Maki Morinoue  
HULI PAC, member  
96725

#75

**Ho, Jonathan K**

---

**From:** Pua Heimuli <pheimuli@gmail.com>  
**Sent:** Sunday, January 28, 2024 10:52 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Aloha e Chair Hurd and Members of the Board of Agriculture,

My name is Pua Heimuli, resident of Kahalu'u, O'ahu and I'm writing to express my strong support to the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide much needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

Many of my friends and family members who live on the Hilo side of Hawai'i Island do not make Puakenikeni Lei for fear of little fire ant infestations that are known to hide among the flowers of this beloved plant. Kāne'ohe is known to have the first of Puakenikeni trees planted on properties along William Henry Road and many recognize this fragrant and distinctive flower with the windward side of O'ahu. If little fire ant were to infest all our trees here, we would lose the ability to make the lei that is synonymous to our home and lose a part of what makes the windward side of the island special.

With pests like little fire ant and coconut rhinoceros beetle being found throughout the islands, we need to utilize every tool available as soon as possible, to support the ongoing efforts of those fighting against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, negating the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Me ka mahalo nui,  
Pua Heimuli



#16

**Ho, Jonathan K**

---

**From:** Dayle Turner <dayleturner@gmail.com>  
**Sent:** Monday, January 29, 2024 5:42 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Dear Chair Hurd and Board of Agriculture Members,

I strongly support the proposed changes to Hawai'i Administrative Rules Chapter 4-72. These amendments provide essential tools to ensure that community efforts against invasive pests are effective.

Invasive pests, like the little fire ant (LFA), pose significant threats to agriculture, food security, ecology, culture, quality of life, public health, and the economy. With LFA and the coconut rhinoceros beetle spreading across the islands, we need to act swiftly.

Passing these amendments would empower the Department of Agriculture to act faster in preventing the sale and movement of invasive species. This is crucial for stopping businesses knowingly selling infested items, hindering efforts to protect our islands.

I urge the Board to approve these amendments. Thank you for the opportunity to testify.

Mahalo nui.

Dayle K. Turner  
Concerned parent and grandparent  
Kaneohe, Oahu



#11

**Ho, Jonathan K**

---

**From:** uowolo@yahoo.com  
**Sent:** Monday, January 29, 2024 6:35 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony Notice #: 0001441439-01

I strongly feel that plant nurseries should be mandated to not spread invasive pests, including Little Fire Ants. I have lived on a property with LFA and know firsthand the impacts they have on quality of life and I now have a farm in Laupahoehoe that does not have LFA. I go through great care to keep my farm LFA free and I expect the plants I buy from a nursery to be LFA free.

Sincerely,  
Amanda Uowolo  
Laupahoehoe, HI

#78

**Ho, Jonathan K**

---

**From:** Annette Tashiro <actashiro@gmail.com>  
**Sent:** Monday, January 29, 2024 7:19 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but also to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*We have two furkids and one from Waianae who has vision issues due to her exposure to little fire ants. We want to mitigate the areas in Kaneohe where we life.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Annette Chiyo Tashiro*

#79

**Ho, Jonathan K**

---

**From:** Mia Takazono <mia.takazono@k12.hi.us>  
**Sent:** Monday, January 29, 2024 8:21 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Mia Takazono*

This is a staff email account managed by Hawaii Department Of Education School District. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



#80

**Ho, Jonathan K**

---

**From:** Debbie Misajon <dcmisajon@gmail.com>  
**Sent:** Monday, January 29, 2024 9:20 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony Coconut Rhinoceros Beetle

Please find this email as my testimony regarding the sale of any products which may contain the coconut rhinoceros beetle. Given the nickname the extinction capital of the world, it should go without saying no one or company should be capitalizing on the back of the environment at the risk of changing it forever. I would be in favor of massive fines to those who would knowingly sell products containing invasive larvae of any kind. Thank you.

Warm regards and aloha,  
Debbie

#81

**Ho, Jonathan K**

---

**From:** Danielle Frohlich <dsfrohlich@gmail.com>  
**Sent:** Monday, January 29, 2024 9:27 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony on proposed changes to HAR chapter 72- support

I am emailing in support of the proposed changes to HAR chapter 72. These changes would grant the HDOA the authority to address issues with repeat offender nursery and garden shop owners, as well as to promptly respond to situations where infested merchandise is discovered. This is important for ensuring regulatory compliance and preventing the spread of pest infestations.

Thank you,

Danielle Frohlich

#82

**Ho, Jonathan K**

---

**From:** Wainani Traub <Wainani.Traub@swca.com>  
**Sent:** Monday, January 29, 2024 9:48 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony on HDOA invasive species rule amendment

I support the proposed changes to HAR chapter 72 because they would grant the HDOA the authority to address issues with repeat offender nursery and garden shop owners, as well as to promptly respond to situations where infested merchandise is discovered. This is important for ensuring regulatory compliance and preventing the spread of pest infestations.

Wainani Traub, M.S. | she, her, hers  
Assistant Project Anthropologist - APM

**SWCA Environmental Consultants**  
1200 Ala Moana Boulevard #380  
Honolulu, HI 96814



*Celebrating 20 Years of Doing Business in the Pacific Islands*

*The contents of this email and any associated emails, information, and attachments are CONFIDENTIAL. Use or disclosure without sender's authorization is prohibited. If you are not an authorized recipient, please notify the sender and then immediately delete the email and any attachments.*



#83

**Ho, Jonathan K**

---

**From:** Beverly Heiser <heiserba@hawaii.rr.com>  
**Sent:** Monday, January 29, 2024 9:52 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] TESTIMONY

I support the proposed amendments to the state rules. We need to take immediate action to stop the spread of little fire ants, coconut rhinoceros beetles, coqui frogs, and other invasive species that may be found.

Transparency is important, and people should have the right to know what nurseries are selling infected plants. Maybe a placard system should be used like restaurants---indicate red if infected, yellow if being treated, and green when no longer detected.

I live on the Windward side. Ants love the weather here and tend to flourish. We have a guava tree, breadfruit tree, mango tree, mandarin, and banana trees on our property. We also have a small garden with Kale and other plants. I also have 2 dogs so I am very concerned. Food security is very important to the Hawaiian Islands. Hopefully it is not already too late.

Thank you for allowing me to voice my opinion and testify.

Beverly Heiser

#84

**Ho, Jonathan K**

---

**From:** moradke@gmail.com  
**Sent:** Monday, January 29, 2024 10:14 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Kaneohe Neighborhood Board Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72  
**Attachments:** NB30 Invasive Spec Letter 2024.pdf

Dear Chair Hurd and Members of the Board of Agriculture:

I am writing on behalf of the Kaneohe Neighborhood Board represents over 32,000 community members. We are in EXTREMELY STRONG SUPPORT of proposed amendments to HAR Ch. 4-72.

Recently, our board unanimously approved a letter (attached) relating to Little Fire Ants other invasive species.

While our collective existence may not yet be in in direct peril, we believe that administrative actions that do not serve the greater good and only benefit a few are morally wrong.

Just as we all should all strive to conserve our natural resources, no business, should co-opt, craft, or have implemented rules for their own benefit, especially when these actions are detrimental to our collective existence.

With Aloha,  
Mo Radke, Chair



KĀNE'OHE NEIGHBORHOOD BOARD NO. 30

o NEIGHBORHOOD COMMISSION ↑ 925 DILLINGHAM BOULEVARD SUITE 160 ↑ HONOLULU, HAWAII, 96817  
PHONE (808) 768-3710 ↑ FAX (808) 768-3711 ↑ INTERNET: <http://www.honolulu.gov>

Maurice 'Mo' Radke  
45-674 Apuakea St.  
Kāne'ohe, HI 96744

Governor, State of Hawaii  
Hawai'i Department of Agriculture  
Office of the Mayor

Dear Leaders,

On behalf of the Kāne'ohe Neighborhood Board, I am authorized to draft this letter and appeal for your swift response to invasive species infestations. As time passes without direct intervention, the matter becomes worse, not better. There are multiple efforts at the State and City level to try and deal with these infestations through funding, rule change and education. We are asking you to act quickly and efficiently.

Quickly: Industries whose livelihoods depend on the agriculture trade have a vested interest in maintaining the status quo that makes them successful. Invasive species should be the exception to the operational status quo because they affect more than just the business – they affect all of us. Whether by emergency proclamation or other procedure, these businesses should be forthcoming with solutions and be required to meaningfully participate in facilitated meetings with an expected outcome of action – not delay. This is a can we cannot kick down the road.

Efficiently: Trying to determine responsibility and adequate resources to address and solve these problems, is challenging. This board recommends establishing a funded, multi-jurisdictional body that can work on species control individually and not under a one-size-fits-all collective plan. We need focused resources in the right spot at the right time. Because of our remote existence, our federal elected officials could and should request federal funding to establish such a multi-jurisdictional body.

The board would like to commend the Oahu Invasive Species Committee (OISC). Their outreach, education, and follow up should be an example of "how-to".

Invasive plants and animals are not presently an existential threat to us, or our *Alina* . . . until they are. *When* they are, and given the present governmental bureaucracy, we fear we are woefully unprepared to effectively solve those problems and we ask that elected officials, government directorates and business entities collaborate for solutions that last.

Aloha pumehana,

Maurice "Mo" Radke  
Chair, Kaneohe Neighborhood Board (#30)

**Adopted at the Thursday, January 18, 2024 regular meeting of the Kaneohe Neighborhood Board; 12-0-0**  
**(AYE:** Burbage, Carstensen, Fleitell, Radke, Sakamoto, Qultevlis, Lam, Sevier, Shizuma, Beverly, Yamashiro, Brandt; **NAY:** None; **ABSTAIN:** None.)





KĀNE'OHE NEIGHBORHOOD BOARD NO. 30

o NEIGHBORHOOD COMMISSION ↑ 925 DILLINGHAM BOULEVARD SUITE 160 ↑ HONOLULU, HAWAII, 96817  
PHONE (808) 768-3710 ↑ FAX (808) 768-3711 ↑ INTERNET: <http://www.honolulu.gov>

# 89

Maurice 'Mo' Radke  
45-674 Apuakea St.  
Kāne'ohe, HI 96744

Governor, State of Hawaii  
Hawai'i Department of Agriculture  
Office of the Mayor

Dear Leaders,

On behalf of the Kāne'ohe Neighborhood Board, I am authorized to draft this letter and appeal for your swift response to invasive species infestations. As time passes without direct intervention, the matter becomes worse, not better. There are multiple efforts at the State and City level to try and deal with these infestations through funding, rule change and education. We are asking you to act quickly and efficiently.

Quickly: Industries whose livelihoods depend on the agriculture trade have a vested interest in maintaining the status quo that makes them successful. Invasive species should be the exception to the operational status quo because they affect more than just the business – they affect all of us. Whether by emergency proclamation or other procedure, these businesses should be forthcoming with solutions and be required to meaningfully participate in facilitated meetings with an expected outcome of action – not delay. This is a can we cannot kick down the road.

Efficiently: Trying to determine responsibility and adequate resources to address and solve these problems, is challenging. This board recommends establishing a funded, multi-jurisdictional body that can work on species control individually and not under a one-size-fits-all collective plan. We need focused resources in the right spot at the right time. Because of our remote existence, our federal elected officials could and should request federal funding to establish such a multi-jurisdictional body.

The board would like to commend the Oahu Invasive Species Committee (OISC). Their outreach, education, and follow up should be an example of "how-to".

Invasive plants and animals are not presently an existential threat to us, or our Aina . . . until they are. *When* they are, and given the present governmental bureaucracy, we fear we are woefully unprepared to effectively solve those problems and we ask that elected officials, government directorates and business entities collaborate for solutions that last.

Aloha pumehana,

Maurice "Mo" Radke  
Chair, Kaneohe Neighborhood Board (#30)

**Adopted at the Thursday, January 18, 2024 regular meeting of the Kaneohe Neighborhood Board; 12-0-0**  
(AYE: Burbage, Carstensen, Fleitell, Radke, Sakamoto, Quitevis, Lam, Sevier, Shizuma, Beverly, Yamashiro, Brandle; NAY: None; ABSTAIN: None.)

#84

cc: Neighborhood Commission Office

All Federal Elected Officials

Governor, State of Hawai'i  
Executive Chambers  
State Capitol  
415 South Beretania St.  
Honolulu, Hawai'i 96813

Hawai'i Department of Agriculture  
Office of the Chairperson  
1428 South King Street  
Honolulu, HI 96814-2512

Office of the Mayor  
City and County of Honolulu  
530 S. King Street, Rm. 300  
Honolulu, HI 96813

City Council of Honolulu Chair Waters & Vice Chair Kiaana

#85

**Ho, Jonathan K**

---

**From:** Steve Cromwell <scromwell5050@gmail.com>  
**Sent:** Monday, January 29, 2024 10:19 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Coconut Rhinoceros Beetles

It should be illegal to knowingly sell bags of compost with Coconut Rhinoceros Beetles



#86

**Ho, Jonathan K**

---

**From:** Ryan Chang <ryanschang@gmail.com>  
**Sent:** Monday, January 29, 2024 10:33 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

I've worked in invasive species work for the past 10 years professionally, 8+ years at the O'ahu Invasive Species Committee. I've worked alongside Hawai'i Ant Lab and the Coconut Rhinoceros Beetle Response Team during my time. I continue to advocate for more treatment options as well as testifying for stopping the spread of invasive species. I cannot stress how important we get a handle on this situation. Please pass these rules!

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Sincerely,

Ryan Chang

Ho, Jonathan K

# 87

**From:** Emma Broderick <emma@puuhonua-society.org>  
**Sent:** Monday, January 29, 2024 10:44 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] TESTIMONY: in SUPPORT of Proposed Amendments to Title 4, Subtitle 6, Chapter 72



Aloha mai kākou,

This email is in SUPPORT of proposed Amendments to Title 4, Subtitle 6, Chapter 72 as it relates to enabling HDOA to stop the sale of public plants and other merchandise that are infested with invasive pests as well as requiring businesses selling said plants and merchandise to treat infested areas.

As the Executive Director of Pu'uhonua Society, an arts and culture not-for-profit that has supported community for over 50 years, I know the vital connection between 'āina, that which feeds, and hana no'eau, our creative practices. A thriving healthy ecosystems is an important part of an artist's practice, inspiration, grounding, creative materials, and spiritual and cultural connection.

Two of our programs are directly centered around human's relationship with plants and 'āina, working directly with coconut and pandanus, which are both gravely threatened by CRB and a host of other invasive species. Continued attack on these plants means a continued attack on cultural and artistic practices of creation including weaving, woodworking, and medicine-making which are at the heart of community gathering, identity and belonging.

We are in strong SUPPORT of sensible measures to reduce the spread of CRB around O'ahu and are hopeful that with these increased measures we can continue our familial relationship with the beloved kumu niu (coconut tree) and pūhala (pandanus tree) for generations to come.

Mahalo for your care and consideration,

**EMMA BRODERICK**  
Executive Director

PU'UHONUA SOCIETY  
PO Box 3080 Honolulu, HI 96802-3080  
[p] +1 (808) 783-2648  
[puuhonua-society.org](http://puuhonua-society.org)



# 00

**Ho, Jonathan K**

---

**From:** Ryan Koo <rkoo@hawaii.edu>  
**Sent:** Monday, January 29, 2024 10:48 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] "Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72"

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

I live in Kaneohe and we already have issues with fire ants spreading. Please, for the sake of our kids, pets, and kapuna, put a stop to the spread now!

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Ryan Koo  
Associate Professor, History  
Windward Community College  
45-720 Kea'ahala Rd  
Kane'ohe, HI 96744



#89

**Ho, Jonathan K**

---

**From:** Adrienne Antonsen <adrienne.k.antonsen@gmail.com>  
**Sent:** Monday, January 29, 2024 11:33 AM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony: HDOA Invasive Species Rule Amendment

Hello,

I am writing to submit my testimony in support of the HDOA invasive species rule amendment to enable HDOA to stop the sale of plants and other organic matter infested with invasive pests like the little fire ant and coconut rhinoceros beetle. I am incredibly frustrated that it has taken this long to take this action, as it is highly unlikely LFA or CRB will be able to be eradicated at this stage of their invasions. However, this rule amendment will at least slow the spread as much as possible to prolong our current comfort in the absence of these pests in uninfested areas.

LFA make life miserable. Having spent five months in Hilo in 2023, I found it nearly impossible to enjoy the outdoors in the same way as I can on O'ahu. You sit down to enjoy a seaside view and your legs immediately start getting bitten, red, and inflamed. You brush some leaves aside as you walk through the forest and LFA rain down into your shirt, stinging and biting for hours as it's nearly impossible to immediately find and brush them all off your skin.

CRB ruin historic palm groves, coconut farms, and endangered loulu palms. As a member of the CRB Response for three years, I witnessed first-hand the devastation the illegal dumping of larvae-infested mulch had in Kunia Loa Ridge Farmlands. Farmers and landscapers who followed best practices begged us for help as their palms fell to ruin, yet as we cleared out small infestations on their lots we would be adjacent to lots with mountains of infested mulch and knew the efforts were in vain. Beetles would emerge from the mulch piles of irresponsible neighbors and roadside mulch and re-infest the palms in no time.

For too long the bad actors in the agricultural and landscaping industries in Hawai'i have been operating with no consequences. They have caused irreparable damage to the people and ecosystems of these islands. At the very least HDOA should now step up and do what it can to slow the spread. After all, per your mission statement, HDOA "works to prevent the introduction and establishment of plants, animals and diseases that are detrimental to the state's agriculture industry and the environment." It's time to follow through on that sentiment. Please move forward in implementing rule amendments to prohibit the sale and transport of infested materials.

Sincerely,

Adrienne Antonsen  
808 699 3005  
[adrienne.k.antonsen@gmail.com](mailto:adrienne.k.antonsen@gmail.com)

#90

**Ho, Jonathan K**

---

**From:** Jenna Ventrella <jennaventrella@gmail.com>  
**Sent:** Monday, January 29, 2024 12:16 PM  
**To:** HDOA,PQ,TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Dear Hawaii Government Organization,

I am writing to express my deep concern regarding the sale of plants infested with fire ants and compost contaminated with coconut rhinoceros beetles within our community. As a resident deeply invested in preserving Hawaii's delicate ecosystem, I strongly advocate for immediate action to address this pressing issue.

The presence of fire ants and coconut rhinoceros beetles poses a severe threat not only to our environment but also to human health and agricultural sustainability. These invasive species have the potential to wreak havoc on our native flora and fauna, disrupt ecosystems, and jeopardize the livelihoods of farmers and gardeners across the state.

I urge the Hawaii Government to enact legislation prohibiting the sale of plants knowingly infested with fire ants and compost contaminated with coconut rhinoceros beetles. By implementing such a ban, we can safeguard our environment, protect our agriculture, and preserve the unique biodiversity that makes Hawaii so special.

Thank you for your attention to this critical matter. I trust that you will take decisive action to address these pressing concerns and uphold the integrity of our beloved islands.

Sincerely,  
Jenna Ventrella



#91

**Ho, Jonathan K**

---

**From:** Napua Casson-Fisher <napua.cassonfisher@gmail.com>  
**Sent:** Monday, January 29, 2024 12:16 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

Across Hawai'i, we have experienced harmful and devastating effects of invasive pests like the little fire ants (LFA), Coconut Rhinoceros Beetle (CRB), hala scale, two-lined spittlebugs, and more. Not only has it been affecting our environment, its also been threatening our local food security, environment, quality of life, public health, and the overall economy, potentially for generations.

In Waialua, O'ahu, we are one of the hotspots in CRB invasion, according to the College of Tropical Agriculture and Human Resources (CTAHR). Over the past months, I have seen coconut trees that are centuries old lose their fronds and wither into dead stumps. Not only are CRBs killing our new and old coconut trees, but they are also attacking banana trees, sugar cane, and hala trees. Our native and Pacific canoe plants will quickly die, and access to traditional plants and food will end.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common-sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Mahalo,

Napua Casson-Fisher, Kupa'aina o Kamananui, Waialua, O'ahu



#92

**Ho, Jonathan K**

---

**From:** Carol Janezic <cjinhi@yahoo.com>  
**Sent:** Monday, January 29, 2024 12:59 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR

Dear Chair Hurd and Members of the Board of Agriculture,

I'm afraid to purchase plants, soils and other garden amendments at local businesses anymore, because some of them aren't taking steps to make sure they're not sending little fire ants and other invasives home with their customers.

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Carol Janezic  
Kaneohe, Hawaii  
808-728-6639

#93

**Ho, Jonathan K**

---

**From:** Eric Tanouye <eric@greenpointnursery.com>  
**Sent:** Monday, January 29, 2024 12:57 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for Proposed Amendments to Title 4, Subtitle 6, Chapter 72  
**Attachments:** HFNA - Chapter 4-72-ET.pdf; HTFC-Neo-Chapter4-72.pdf; OGOH-Jon-Chapter4-72.pdf

Aloha,

Please see attached for 3 testimonies. Please let me know if you have any questions.

Mahalo

Eric



Department of Agriculture  
 Plant Quarantine Conference Room  
 1849 Auiki Street, Honolulu, Hawaii

**Aloha Chair Hurd,**

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.

We are contacting you in regards to the Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules" to, Among Other Things: Implement Quarantine Restrictions on the Coconut Rhinoceros Beetle (CRB) and CRB host materials; Implement Fees for Inspections and the Processing and Issuance of Permits; Establish Authority to Prohibit the Movement of Infested Materials Within the State; Include Penalties for Non-compliance; and Make Other Changes for Clarity or Simplification and Other Non-substantive Changes Correcting Grammar, Punctuation, or Typeface.

Our industry understands the importance of Biosecurity protocols and the efforts needed to stop and stem the flow of invasive pests and diseases to our islands. The most important tool we have to combat this is a good Biosecurity Plan that can function and serve everyone. This in turn needs a properly funded Department of Agriculture. Unfortunately, some of these changes would weaken the Department of Agriculture and handing more responsibility (without oversight) to outside organizations will not make up for this.





We find the changes proposed to 4-72, seek to give easy solutions at the expense of encouraging our industry to find a new line of work. We are sad to see these changes pointing a finger at the Nurserymen and Women of Hawaii and placing all the blame on them for pests being in Hawaii. You could even say it's the first step in making it a crime to grow plants. I apologize for stating the obvious but there are plants and trees growing everywhere on all the Islands. Plants attract pests and diseases as part of nature. Nursery growers and farmers seek to raise high quality plants that are free of disease and pests. We want to provide quality products. Nobody starts a nursery with the idea of using plants and floral products to spread disease and pests.

Yet these changes seek to make being a farmer / nurseryperson have to risk their lively hoods if they encounter pests on their properties. Pests are living creatures that spread and travel, and as the saying goes, Life will find a way. There is no way to never have a pest. These changes may hold our nursery people and farmers criminally liable if a pest is discovered. Previously if a pest was found, a farm/nursery could receive help to manage and control the pest. Solutions to control and manage, should be offered and not just deciding on easy solutions like punishing those who work with plants.

And let us not just focus on Nurseries. There are many incoming vectors of pests. People travel and people ship items. This keeps increasing and it does not look like the movement of products is going to decrease anytime soon. We can't just expect that pests will only come in on plants and people who work in the plant industry. The spread of invasive pests is not going to be solved with a one-time solution of one vector. It is a continuous fight that will require an all-hands-on deck approach. We need to have inspectors and facilities that can help slow down and catch infestations. We need not just agriculture to solve the problem but government, non-profit/government organizations, visitors, and the community at large to be parts of our solutions.

We need to be supporting our Department of Agriculture and give them the funding they need to continue this fight. We need to support Hawaii Department of Agriculture with adequate inspectors to carry out our



inspections of pre-entry, present port entry and post entry with comprehensive pest management programs for our state, businesses, visitors, and communities to work with to control, contain and eradicate pests. We need everyone to understand that we need to continue fighting the problem, especially when it looks like something is contained. I want to see more solutions expressed in this chapter. How someone can reach out to seek help.

A major concern that we have with the proposed changes is that nurseries may be forced to be quarantined for interstate, intrastate, and intra-island movement and that this could lead to a business shutting down as they are unable to make income, and with no explanation on how long the quarantine will last, and what the process would be for a nursery/farm/ranch to end the quarantine. Those who practice agriculture should be part of the process and understand what they need to do to continue making a living. I would like to see clear instructions on how infested areas may resolve their problems and work with the department to come up with solutions to resolve infestation, containment and eradication.

There also are many changes that identify more questions and we need answers before we can adopt them. Such as the Chapter mentioning a State Plant Regulatory Official 'SPRO,' and then it does not mention if the position requires regulatory qualifications in the Plant Quarantine (PQ) branch or under chair of Dept of Agriculture. It should be obvious that the position of 'SPRO' should be required to report to the HDOA administrator of plant quarantine, PQ manager and/or Chair of Dept of Agriculture. Yet, we do not also understand the need of eliminating 'chief', which is also known as 'PQ' manager. The PQ manager position runs the day to day operation of the PQ Branch and oversees the officers/inspectors. This is an integral and essential position to the department and the PQ Branch. We think there should be a 'chief' position and a 'SPRO' position.

Then there is the need-to-know what pests will allow the shutdown of a nursery. There is a whole litany of pests designated as invasive, and some have could be considered common. All pests need to be dealt with but not all pests are created equal. Not every pest requires a closure of a business. The pest list needs to be scrutinized and critically reviewed by experts. We want to focus our resources appropriately.





To put all this simply, we appreciate and comprehend that there is action on making changes to 4-72, but we do not believe it is adequately written as a plan or course of action as it is. It needs further improvement, explanation, and review. Let us not try to jump to the end and say "Hey we made changes, job done". Let's have a functioning chapter that actually explains and guides all parties on how to help stem and mitigate pest and disease movement.

We should be focusing on seeing what funding is necessary to have control methods and inspections put into place. Once again, we think it is paramount that we work with our Department of Agriculture and not just place blame. Let us be a community that works together. Let's support the Department with more inspectors and funding.

Thank you for your consideration of our review and suggestions on the changes to Chapter 4-72 and if you have any questions, We can be reached by phone at 808-959-3535 ext. 2627, ccell 808 960-1433 and email [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).

Supporting Agriculture and Hawaii,

Eric S. Tanouye  
President  
Hawaii Floriculture and Nursery Association





#94

# Hawaii's Flowers

Share the Aloha!

Department of Agriculture  
Plant Quarantine Conference Room  
1849 Auiki Street, Honolulu, Hawaii  
[hdoa.pqtestimony@hawaii.gov](mailto:hdoa.pqtestimony@hawaii.gov)

## Aloha Chair Hurd,

My name is Thong Teng Neo and am the current President of the Hawaii Tropical Flower Council (HTFC). HTFC is a statewide association of commodity organizations, ie: anthurium, orchid, protea, tropic flowers and foliage, blooming and foliage plants. The Hawai'i Tropical Flower Council directs promotion and supports research of Hawaii's tropical flower industry. Each of the state's major flower commodity groups (anthuriums, orchids, proteas, tropic flowers and foliage, blooming and foliage plants) is represented on the council's board of directors. HTFC serves as a non-profit Hawaii Corporation to promote for its commodity groups and other producers of tropical horticulture grown in the State of Hawaii.

We would like to express our concerns with the Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules" to, Among Other Things: Implement Quarantine Restrictions on the Coconut Rhinoceros Beetle (CRB) and CRB host materials; Implement Fees for Inspections and the Processing and Issuance of Permits; Establish Authority to Prohibit the Movement of Infested Materials Within the State; Include Penalties for Non-compliance; and Make Other Changes for Clarity or Simplification and Other Non-substantive Changes Correcting Grammar, Punctuation, or Typeface.

We appreciate that the Department of Agriculture is undergoing this process to have Chapter 4-72 updated to better serve and protect agriculture, the community and Hawaii. We also appreciate the chance to share our thoughts on some of the changes.

In regards to the Notice of Public Hearing and changes noted: Note number 3 makes mention of deleting the definition of "Chief" to "SPRO". Who is eligible for the SPRO positions is not well defined and we believe the Chief position is an important position for the Department. This leads us to note 7 regarding authorizing the SPRO to quarantine and prohibit the movement of infested items. With the requirements and eligibility of being selected as a SPRO not spelled out, we have some concerns with the SPRO and not the Department of Agriculture enforcing a quarantine or prohibition of movement of

HTFC ■ P.O. Box 4306 ■ Hilo, HI 96720 ■ [www.hawaiitropicalflowercouncil.org](http://www.hawaiitropicalflowercouncil.org)





#94

# Hawaii's Flowers

Share the Aloha!

items. We would like our farmers, ranchers, growers, and producers to be represented and allowed to work with the Department of Agriculture to contain, manage and eradicate pests. Then be able to continue selling their products and maintain their livelihood.

For note 9, we would like to have some more information on what fees will be established and the costs impact they may have on our agriculture industry.

Note 10 is also a little worrying as it seeks to comments that the state will not be taking responsible for economic loss or damage. Does this mean it is ok to shut down businesses or disregard people trying to make a living?

Note 11 seeks to remove the Board's input into infestation areas. We believe that the board is best equipped for these decisions and would not like to see this change.

Note 12 describes penalties and we would like more information on how these will be decided and enforced.

Note 14 suggest that some of these chapters may be unconstitutional or invalid?

Note 23 seeks to declare the entire island of Oahu is infested. Does this mean there is no movement of agriculture (food, plants, landscaping, and other materials?) on the entire Island of Oahu?

Thank you for taking the time to read this correspondence and if you have any questions, I can be reached at [neo@greenpointnursery.com](mailto:neo@greenpointnursery.com) or 808 959 3535 ext 2615.

Sincerely,

Thong Teng Neo  
President

Hawaii Tropical Flower Council





Department of Agriculture  
 Plant Quarantine Conference Room  
 1849 Auiki Street, Honolulu, Hawaii  
[hdoa.pqtestimony@hawaii.gov](mailto:hdoa.pqtestimony@hawaii.gov)

**Aloha Chair Hurd,**

My name is Jon Tanouye and I am the current President of the Orchid Growers of Hawaii (OGOH).

We are writing to share with the Department of Agriculture our thoughts and concerns with the changes to Chapter 4-72.

First, we would like to thank you for the opportunity to give feedback on this important chapter. It is important for our industry to be able to contain, control and irradiate pests.

Our industry would like to see the "SPRO" being assigned by the Department of Agriculture and assigned to someone who has the education, experience, and know-how to serve in this important position. If this position chooses when and how to declare an area infested, they should be an employee of the Department of Agriculture with the Department's support.

This would allow the Department of Agriculture to work with industry members to face the problem of invasive pests and disease. They would also now how to properly implement fees in way that will not hurt the industry. That penalties would be practical. They would have the knowledge to know that changes to scientific names work in the correct nomenclature for the state, the country and internationally.

We would also like to see more funding support to the Department to implement more inspectors and solutions to our collective pest and disease problems.

Thank you once again for allowing us to have input into these changes. If you have any other questions, you may contact me to discuss. I can be reached by phone at 808-959-3535 or via email at [jon@greenpointnursery.com](mailto:jon@greenpointnursery.com).

Sincerely,

Jonathan Tanouye

President  
 Orchid Growers of Hawaii (OGOH)



#96

**Ho, Jonathan K**

---

**From:** Michael Stone <mstone2@hawaii.edu>  
**Sent:** Monday, January 29, 2024 1:17 PM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** gdoyle@pulamalanai.com; cmergogey@pulamalanai.com; gcaceres@pulamalanai.com  
**Subject:** [EXTERNAL] Testimony

Testimony on Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules - "Plant and Nondomestic Animal Quarantine Plant Intrastate Rules"

Aloha,

I am submitting testimony as a biosecurity specialist on Lānaʻi and as a concerned citizen regarding the proposed amendments to Title 4, Subtitle 6, Chapter 72 of the Hawaii Administrative Rules, titled "Plant and Nondomestic Animal Quarantine Plant Intrastate Rules."

I strongly believe that it should be illegal to knowingly sell bags of compost containing Coconut Rhinoceros Beetles (CRB) or Little Fire Ants (LFA). Hawaii, known as the invasive capital of the world, holds the highest rates of endemism, making it crucial to minimize the spread of invasive species. Protecting our native species carries an added sense of responsibility.

Once established, the presence of Little Fire Ants and Coconut Rhinoceros Beetles in our ecosystem would pose significant challenges, if not impossibilities, in eradication. I advocate for prevention over reaction, as the proactive efforts made now to prevent the spread of these species will prove far more beneficial than the costs associated with attempting to eradicate them once established.

I urge you to consider the long-term impacts of our actions. Hawaii's best interest lies in minimizing the spread of invasive species, and the work undertaken now to achieve this goal will undoubtedly outweigh the costs of dealing with a full-fledged invasion later on.

Mahalo, Mikey Biosecurity Specialist and Concerned Citizen

--

Michael D. Stone

Master of Science

#97

**Ho, Jonathan K**

---

**From:** zhantell dudoitN <zhan.dudoit@gmail.com>  
**Sent:** Monday, January 29, 2024 1:44 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Aloha Chairperson Sharon Hurd,

My name is Zhantell Lindo and I am in strong support of the proposed changes to chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

Our island communities are vulnerable to many challenges that affect our ability to be resilient in the areas of food security and protection of natural resources. With climate change and man made pollution it is crucial for us to find ways to mitigate and rise above the consequential circumstance of our changing world. The proposed changes to HAR 72 can provide necessary and effective approaches to the battle against invasive pests that threaten our islands. We can improve response times, create stronger and more effective barriers and provide education that motivates our communities to join in the efforts. We can protect our Hawaii and keep it safe and abundant in agricultural opportunities for the future, if we act now.

Mahalo for your time and consideration to share my support of the proposed changes to HAR chapter 72.

Sincerely,  
Zhantell Dudoit Lindo - Molokai, Hawaii

--

Zhantell KM Dudoit Lindo  
PO Box 290618  
Hoolehua, Hawaii 96729  
(808) 658-1334



# 78

**Ho, Jonathan K**

---

**From:** Joseph Wat <joew@keyproject.org>  
**Sent:** Monday, January 29, 2024 1:56 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Dear Chair Hurd and Members of the Board of Agriculture,

Thank you for this public hearing on HAR 72 changes.

I STRONGLY SUPPORT this amendment to clarify and emphasize HDOA's obligation to manage nursery infestations of invasive species like CRB, LFA, and coqui frogs. While there are other modes of transmission, it can not be denied that nursery sales are a significant vector for these species around our island chain and within individual islands. This amendment is a significant step in the right direction and ongoing work in the community will clarify which other modes of transmission must be addressed to solve this problem.

It is important to recognize that a nursery business that cannot operate without being a public nuisance SHOULD NOT be allowed to operate until they are able to mitigate these issues. Each plant put into the ground with LFA represents at least one year of follow up treatments. As mentioned by many in ongoing invasive species efforts, "an ounce of prevention is worth a pound of the cure." Working with nurseries to limit spread is still part of the "ounce of prevention."

We need every tool in our tool box for this. Most people are startled to realize that it is NOT illegal to knowingly sell LFA or CRB infested materials. Passing these rules brings HDOA's regulatory authority more in-line with public understanding of the government's responsibilities.

Please know that the community will support you in asking for support in building partnerships, funding positions, and creating regulations to manage these significant threats. Let us know how we can help these rule changes to grow into the meaningful protection for Hawai'i's environment that all of our future generations deserve.

Mahalo for your attention to this issue. I urge the board to PASS these rule amendments.

Aloha no,  
- Joe


--




**Joe Wat**  
Community Development Coordinator  
KEY Project



---

 808 239 5777

 [keyproject.org](http://keyproject.org)

---



CONFIDENTIALITY NOTICE: The contents of this email and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information. If you are not the intended recipient or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments.

# 99

Ho, Jonathan K

---

**From:** Mary Metcalf <meametcalf@yahoo.com>  
**Sent:** Monday, January 29, 2024 2:03 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Written Testimony Support for HAR Chapter 72 Rule Amendment on Invasive Species

Dear Hawaii Department of Agriculture,

I am writing in strong support of the proposed amendments to HAR Chapter 72 that will stop the sale to the public of plants and other merchandise infested with invasive pests such as LFA and CRB.

Until and unless HDOA is given enforcement authority to effectively address the commercial spread of these and other highly damaging invasive pests, Hawaii will continue to experience increased suffering economically, culturally and environmentally, as well as the pain and suffering these pests cause to humans and animals.

No one wants to buy commercial plants and other merchandise that are harboring invasive pests that will infect their homes, land, vegetation and cause significant harm. Please know that many community members support these amendments and applaud HDOA's efforts to help reign in the spread of these invasive pests. These common sense amendments are needed today, and no further delay is warranted in their approval.

Mahalo for your immediate consideration to this matter,

Mary Metcalf, resident  
Kailua Kona, HI

#100

January 26, 2024

**Hawaii Department of Agriculture**  
**Plant Quarantine Branch**  
1849 Auiki Street  
Honolulu, HI 96819

**RE: Proposed Amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules"**

Aloha Chair Hurd and staff:

My name is Warren Watanabe, a retired farmer and strong agriculture advocate from Upcountry Maui.

I have been actively involved with invasive species issues in the state for decades. I was involved as HFBF worked to increase the capacity of the Plant and Non Domestic Animal Quarantine capacity that resulted in HISC. Over the years I have seen a change from the original intent of HISC which was a partnership between DLNR and DOA. The intent of protecting Hawaii in its' entirety envisioned by King Kalakaua as he started PPC to protect agriculture and in the process the greater Hawaii was lost.

First and foremost, this rule involves living organisms that evolve. Organisms that behave differently in different circumstances. As such the **rules need to provide guidance that can be implemented based on individual circumstances**. As proposed, it is rigid and will result in unintended consequences.

Second, as King Kalakaua envisioned, and exists in current law, the **rule should seek to support Hawaii's effort for increased self sustainability with agriculture as a core value**. As proposed agriculture's needs can and will probably be sidelined in the proposed designee of SPRO,. This proposal dismantles the current core of the Plant and Non Domestic Animal Quarantine Program.

It is said you can catch more flies with honey. The example of the area wide fruit fly control program that has become an example to the world, demonstrates that it takes a community to tackle these problems. Not a few individuals but an entire community. A **code of conduct for people of Hawaii to follow to protect all from invasive species is important** rather than target what some deem to be misbehavior.

I support change such as the updating of Hawaii's noxious species lists on a regular basis. However, I respectfully request a careful consideration of the long term needs of Hawaii to increase our capacity for self sufficiency as a core value when rules are developed.

*Warren K. Watanabe*

Warren K. Watanabe  
Kula, Hawaii



#101

**Ho, Jonathan K**

---

**From:** chris@greenpointnursery.com  
**Sent:** Monday, January 29, 2024 2:10 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for Proposed Amendments to Title 4, Subtitle 6, Chapter 72

Aloha Department of Agriculture,

My name is Christopher Tanouye. I am part of the 3rd generation of Tanouye's who are a part of Green Point Nurseries Inc. This email is in regards to the changes to Hawaii Department of Agriculture's Chapter 4-72. After reviewing the changes, I have found that these changes are not adequate to the changes that are needed. At this time, I believe it would be better to consider starting the process over from the beginning.

I would like to see more instruction or information on how fellow growers/farmers may be declared non-infested and allowed to sell and trade their products. I would like to see a full list of the pests that may cause an area to be considered infested.

We would like to see the qualifications needed to be chosen as a SPRO and a reason why the Chief position is no longer applicable.

I think that this early rewrite is a good start but is not adequate for implementations.

Thank you for your time,

Christopher Tanouye

#102

**Ho, Jonathan K**

---

**From:** Jay Penniman <jayfp@hawaii.edu>  
**Sent:** Monday, January 29, 2024 2:50 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony

Aloha,

Please make every effort to stop the inter island movement of Little Fire Ants (LFA). It should be illegal to move LFA (and other invasive species such as coqui frogs) into Hawai'i and between or among islands! The ecological and economic impacts of LFA clearly call for drastic measures and HDOA needs to take the steps necessary to prevent any further movement of these invaders. The economic impacts on the few agricultural interests who demand unfettered access to all island markets should stop taking precedence over the interests of our native environments and the people of Hawai'i.

Mahalo for taking this input seriously and taking decisive action,

Jay

Jay F. Penniman, Manager  
Maui Nui Seabird Recovery Project  
P.O. Box 903, Makawao, Hawai'i 96768  
Office: 808-572-3500  
Mobile 808-280-4114  
Save Our Seabirds: 808-573-BIRD (2473)  
jayfp@hawaii.edu

#102

**Ho, Jonathan K**

---

**From:** Jay Penniman <jayfp@hawaii.edu>  
**Sent:** Monday, January 29, 2024 5:28 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Re: Testimony

Appending my last email, Sale of any plant material with LFA on any island needs to be against regulation! Stop the spread! Intra island distribution mod invasive species needs to be regulatorilly controlled!

Mahalo

Jay F. Penniman, Manager  
Maui Nui Seabird Recovery Project  
P.O. Box 903, Makawao, Hawai'i 96768  
Office: 808-572-3500  
Mobile 808-280-4114  
Save Our Seabirds: 808-573-BIRD (2473)  
jayfp@hawaii.edu

On Jan 29, 2024, at 14:49, Jay Penniman <jayfp@hawaii.edu> wrote:

Aloha,

Please make every effort to stop the inter island movement of Little Fire Ants (LFA). It should be illegal to move LFA (and other invasive species such as coqui frogs) into Hawai'i and between or among islands! The ecological and economic impacts of LFA clearly call for drastic measures and HDOA needs to take the steps necessary to prevent any further movement of these invaders. The economic impacts on the few agricultural interests who demand unfettered access to all island markets should stop taking precedence over the interests of our native environments and the people of Hawai'i.

Mahalo for taking this input seriously and taking decisive action,

Jay

Jay F. Penniman, Manager  
Maui Nui Seabird Recovery Project  
P.O. Box 903, Makawao, Hawai'i 96768  
Office: 808-572-3500  
Mobile 808-280-4114  
Save Our Seabirds: 808-573-BIRD (2473)  
jayfp@hawaii.edu



**Ho, Jonathan K**

---

**From:** David K Shizuma <kawikasmail@gmail.com>  
**Sent:** Monday, January 29, 2024 2:52 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Aloha,

I am in strong support of the amendments to HAR Chapter 4-72, as invasive species has and continues to devastate to our fragile environment, changing Hawaii forever.

I would like to also comment and recommend considering removing the amendments in 4-72-4-b and 4-72-5-b-3-b, that "authorizes the transportation of an untreated infested [commodity] or infected pest host material to an island or location where the insect, disease, or pest is known to be established."

Invasive species should not be able to be transported to an area already infested or infected. Invasive species and material harboring invasive species should remain in place, treated and/or destroyed, or be transported to a location in order to be treated, or studied as mentioned in section 4-72-4-c. Any compiling or accumulating additional populations of the same invasive species will only increase the population and the likelihood that the population could grow and expand, making it difficult to limit their continued spread, if they are allowed to be transported to locations where there are existing populations. The goal of limiting invasive species movement is to limit, lessen, and possibly eliminate these invasive species. Transporting them to a place where they are already established will not accomplish this. I recommend the removal of this amendment from 4-72-4-b and 4-72-5-b-3-b.

Mahalo for your time,  
David Shizuma

#104

**Ho, Jonathan K**

---

**From:** Heather Huitt <dashcapt@icloud.com>  
**Sent:** Monday, January 29, 2024 2:55 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Invasive pests

To whom it may concern - HDOA

Stricter controls to prevent both invasive pests and plants are long overdue. In my lifetime of 65 years I have witnessed some of the most invasive plants, birds and insects arriving in our islands and the abysmal results. Strawberry guava, Albizia, mongoose, the Bulbul; the list goes on and on. The list of extinctions is even longer.

The balance of our delicate ecosystems is under serious threat and in many instances it is too late.

I therefore encourage and fully support any and all legislation to protect and prevent our native plants, birds and wildlife from further extinction.

Mahalo for your efforts to institute stricter controls and laws.

Heather Huitt  
Sent from my iPhone

#105

Ho, Jonathan K

---

**From:** Lori Buchanan <molokailori@gmail.com>  
**Sent:** Monday, January 29, 2024 3:02 PM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** Lori Buchanan  
**Subject:** [EXTERNAL] Testimony

Aloha Chairperson Sharon Hurd,

My name is Lori Buchanan and I am in strong **support** of the proposed changes to Chapter 72, Hawaii Administrative Rules which are necessary to prevent the spread of particularly harmful invasive pests within Hawaii.

Our island communities are vulnerable to many challenges that affect our ability to be resilient in food security and the protection of natural resources. The proposed changes to HAR 72 can provide necessary and effective approaches to the battle against invasive pests that threaten our islands. We can improve response times, create stronger and more effective barriers, and provide education that motivates our communities to join the efforts. If we act now, we can protect Hawaii and keep it safe and abundant in agricultural opportunities for the future.

Mahalo for your time and consideration in support of the proposed changes to HAR chapter 72.

Sincerely,  
Lori Buchanan - Molokai, Hawaii



#106

Ho, Jonathan K

---

**From:** mark@greenpointnursery.com  
**Sent:** Monday, January 29, 2024 3:05 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for Proposed Amendments to Title 4, Subtitle 6, Chapter 72:

Aloha Department of Agriculture,

My name is Mark Tanouye. I am a third generation grower at Green Point Nurseries Inc. on the Big Island of Hawaii. We grow and export tropical cut flowers and foliages, while specializing in anthuriums and orchids. I have recently joined our family nursery after receiving my Masters of Science degree in Tropical Plant and Soil Science from the University of Hawaii at Manoa. I aim to bring my knowledge of plant science and plant tissue culture to assist our nursery in generating superior planting stocks to help improve the quality of flower production here in Hawaii.

Thank you for taking the time to read my suggestions for Chapter 4-72 and its changes. I am also very grateful for the opportunity to voice my suggestions and comments. I am very understanding about biosecurity here in Hawaii. Especially in regards to stopping the movement of invasive pests and diseases. During my time at the university, I have learned about vast insects and plant pathogens and how they can affect plant production as well as an ecosystem. I wholeheartedly agree with using a strong biosecurity program to stop the spread of invasive pests and diseases. I wanted to join our family nursery and the floriculture industry in hopes of improving flower production from the State of Hawaii. However, I would be discouraged if farmers and ranchers felt they were solely targeted as the reason for this issue, since there are unfortunately many other methods of invasive introductions. Here are a few of my comments and suggestions.

1. I would like to ask if a complete explanation can be made for how an infested area would affect farms and ranchers in the area and how they would work with the department to become no longer considered "infected." I understand that infested areas should be cleaned and managed, but I am wondering how this can be achieved without directly shutting down a farm/ranch, which could decimate one's livelihood or even harm an industry. Can someone be assisted with solutions rather than being strictly penalized? I believe there is a way for everyone to be responsible while not discouraging others from becoming farmers or ranchers.
2. I would also like to request that the SPRO position have clearly defined requirements. I feel that having clear requirements would help in choosing the best suited individual for a job that could affect a large amount of people in the industry.
3. I would also like to ask that there be different tiers of pests and with an appropriate response to each tier. As we all know, there are varying levels of plant pest pressure. With unending pressure, it is very difficult to keep a nursery 100% "pest free." For example, even in the case of tissue culture, the cleanest plant material is still at a risk for plant pest pressure or disease at some point in time. I am sure the goal is not to harm farmers and ranchers, therefore, those who are responsible and mindful of pests should not feel targeted for penalization.

Thank you for allowing me to share my thoughts with you currently.

Mahalo!

Mark Tanouye

--

Mark Tanouye  
808-315-5070  
Green Point Nurseries  
811 Kealakai Street. Hilo, 96720

#107

Ho, Jonathan K

---

**From:** evolved <smveno@gmail.com>  
**Sent:** Monday, January 29, 2024 3:19 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*On multiple occasions we have responded to the sounds of coqui frogs and infestations of little fire ants in our neighborhood in Huelo and near Twin Falls. Without our vigilance and the rapid response from MISC our neighborhood would be permanently infested, changing our rural farming and lowering the value of our properties. We can't win this battle without your help.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

**Susan Veno**

In solidarity,



#108

**Ho, Jonathan K**

---

**From:** Joseph Simpliciano <jks0609@gmail.com>  
**Sent:** Monday, January 29, 2024 3:24 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] CRB testimony- Support

Aloha,  
As an Aloha Aina advocate, a community leader and farmer it should be illegal for anyone to knowingly sale or fail to inspect any item that is received in Hawai'i prior to any sale due to the possibility of transferring the coconut rhinoceros beetle throughout our island chain. We have seen the devastation and the strain on taxpayer and community resources. Here in Wai'anae we lost a lot of coconut trees due to the CRB nesting, it almost destroyed all of the coconut trees on Kū'iliioa Heiau which sits on the point of Kaneilio. I strongly support any bills or resolutions in regards to CRB.

Mahalo nui loa,  
Joseph K. Simpliciano  
(808)291-5527

Sent from my iPhone

#109

Ho, Jonathan K

---

**From:** Barbara Barry <haikupointofview@icloud.com>  
**Sent:** Monday, January 29, 2024 3:43 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*Coqui frogs are another upsetting invasion that affects people's health by making it difficult to sleep. It also affects property value cause no pneumonia wants to live near them. They are another invasive species introduced from Big Island on nursery stock.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. We all must do better but it starts with this Dept. of Agriculture.*

*Mahalo nui for the opportunity to testify.  
Barbara Barry,  
Ha'ikū, HI  
96708*

#110-

**Ho, Jonathan K**

---

**From:** Marilyn Mick <m2@pobox.com>  
**Sent:** Monday, January 29, 2024 3:53 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony for HAR Chapter 4-72 Rule Amendments

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Sincerely, Marilyn Mick, Honolulu

Sent from mobile



NATALIA HUSSEY BURDICK  
District 50



RepHusseyBurdick@capitol.hawaii.gov  
(808) 586-6480

#111

HOUSE OF REPRESENTATIVES  
*Hale o nā Luna Makaʻāinana*

STATE OF HAWAII  
STATE CAPITOL, ROOM 327  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

Sharon Hurd, Chairperson  
Diane Ley, Hawai'i Island Member  
Fred Cowell, Kaua'i Member  
Vincent Mina, Maui Member  
En Young, Member-at-Large  
Randy Cabral, Member-at-Large  
James Gomes, Member-at-Large

Dawn Chang, Ex Officio Voting Member,  
BLNR  
James Tokioka, Ex Officio Voting Member,  
DBEDT  
Ania Wieczorek, Ex Officio Voting Member,  
CTAHR-UH

Hawai'i Department of Agriculture  
1428 S. King Street, Honolulu, HI 96814

Aloha Chair Hurd and honorable members of the Board of Agriculture,

As a State Representative for a community that is becoming alarmingly impacted by Little Fire Ants (LFA) and Coconut Rhinoceros Beetles (CRB), I am writing to respectfully urge you to expediently adopt these proposed amendments to Chapter 4-72, HAR, especially the parts that would help to reign in "bad actor" plant nurseries that knowingly sell materials infected with these incredibly harmful invasive species.

These "bad actor" plant nurseries are not only causing immeasurable harm to our ecosystem, but they are also damaging our already-strained economy. I've spoken with many constituents who abstain from purchasing ANY plants because they know some nurseries are intentionally selling infested plants, and most other nurseries aren't testing or treating at all. As I'm sure you are already aware, the damage to our agricultural industry will soon be irreparable unless you immediately adopt these proposed rule amendments.

Mahalo for your dedication to your fiduciary duty to uphold the public trust,

A handwritten signature in black ink, appearing to read "NHB".

Natalia Hussey-Burdick  
Hawai'i State Representative  
House District 50  
Kailua – Kāneʻohe Bay



#112

January 29, 2024

Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72

Aloha mai e Chairperson Sharon Hurd:

I support the proposed changes to chapter 72, Hawaii Administrative Rules. These rules are necessary to prevent the spread of harmful invasive pests to Hawaii.

I'm surprised that these rules are not already in place. As a resident of Kapolei and a caretaker of Pu'uokapolei, a historic site on the Westside of O'ahu, I first witnessed back in 2018 the devastating effects of Coconut Rhinoceros Beetle to our niu, loulu and hala trees.

I remember three niu trees suddenly died and then the hala trees next them died. This all happened within just one month. They went from healthy trees to dead. It happened so quickly, I had thought the trees were poisoned and reported it to the Department of Agriculture. Later I learned the trees weren't poisoned, they were affected by CRB. In my lifetime, I had never seen anything like this. A beetle that eats through trees so rapidly.

Soon after this incident, the beetles ate through our entire grove of 30 loulu trees. They then destroyed 10 more niu trees and 4 beautiful grand pūhala. Now, today, every single one of our niu trees at Pu'uokapolei are infested with CRB. There are no loulu. And our hala are not looking healthy. We think they too have CRB.

We need to be doing every possible thing to ensure that CRB and other pests like LFA have no chance. No chance to get to our trees. These administrative rules should have been enacted long ago.

Please approve the requested changes to chapter 72.

Me ka 'oia'i'o,

  
Mikiala M. Lidstone  
Executive Director

*A world where communities are rooted, knowledgeable about and engaged in the place they live.*



#113

Ho, Jonathan K

---

**From:** Bo Breda <bobreda@gmail.com>  
**Sent:** Monday, January 29, 2024 4:19 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*Living in Pahoa for 12 years I think that anyone not infested with LFA would appreciate their removal from all transferred items inter-island. The government by lax oversight of commercial interests allowed the introduction of this infestation in the 90s. We must stand up to commercial interests and resist all efforts to diminish administrative oversight of all types of horticultural transfers.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally*



*prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping “bad actor” nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

*Respectfully*

*Bo Breda*

*13-927 Kahukai Street*

*Pahoa HI 96778*

#114

Ho, Jonathan K

---

**From:** Pete Wilson <perhansahi@gmail.com>  
**Sent:** Monday, January 29, 2024 4:19 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] testimony - HAR Chapter 4-72

*Dear Chair Hurd and Members of the Board of Agriculture,*

*I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.*

*As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.*

*Living in Pahoa for 12 years I think that anyone not infested with LFA would appreciate their removal from all transferred items inter-island. The government by lax oversight of commercial interests allowed the introduction of this infestation in the 90s. We must stand up to commercial interests and resist all efforts to diminish administrative oversight of all types of horticultural transfers.*

*With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.*

*Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally*

*prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping “bad actor” nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests.*

*Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.*

--  
Pete Wilson  
13-927 Kahukai Street  
Pahoa HI 96778  
808-557-8108



# 115

Hawaii Department of Agriculture  
6 p.m. January 30, 2024  
Plant Quarantine Branch Conference Room  
1849 Luiki Street  
Honolulu, Hawaii 96819

### **Testimony in Support of the Proposed Changes to Hawaii Administrative Rules, Ch 4-72**

Aloha Chairperson Sharon Hurd,

My name is Kailee Lefebvre and I am testifying **in support of the proposed changes to Chapter 72**, which would provide the necessary regulatory rules to significantly reduce the risk of movement of harmful invasive pests around the state.

What is needed in order to control or eradicate some of the worst invasive species we are dealing with in the state today? Besides steady and increasing funding and staff in these areas, and new and improved tools and technologies, rules and regulations are critical to the mission of a biosecure state. If nurseries are allowed to continue the practice of knowingly selling infested plants and other materials to the public without consequence, unfortunately, we've witnessed that some will do so. Additionally, sometimes all it takes is one "bad actor" to exacerbate the terrible situation at hand. Without enforced regulations, Hawai'i will never be able to fully control populations of the species that are of higher risk of moving around in trade.

It has been noted in briefings and town halls that the public have become more aware of the potential for buying infested products from stores and nurseries. Afraid of this vector of spread, people are reacting by not purchasing product. I believe these rule changes will help, not hurt the agriculture industry by making sure the "bad actors" cease high-risk practices and employ preventative measures, therefore reinstating trust from the public knowing they are being held accountable for protecting the public from invasive species.

It has been proven that the Little fire ants have spread inter and intra-island through nursery trade. It is also possible that the Coconut rhinoceros beetle spread to three other islands from Oahu through bags of mulch or growing media sold from garden stores, all within just a few months. I would like to think that if rules and regulations such as the ones proposed in this change would've made a significant impact on the spread of these two species across the state. Please enact these changes to chapter 72 to move Hawai'i towards a more biosecure future.

Sincerely,

Kailee Lefebvre

Kailee.h.lefebvre@gmail.com (808) 348-6419

#116

Ho, Jonathan K

---

**From:** Joseph Simpliciano <jks0609@gmail.com>  
**Sent:** Monday, January 29, 2024 4:26 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Sale of plants with fire ants

Aloha, I strongly support believe that no one should be selling plants with little fire ants and it will be transferred from one area to the next exacerbating a long standing issue.

Very Respectfully,  
Joseph K. Simpliciano  
(808)291-5527

Sent from my iPhone

#117

**Ho, Jonathan K**

---

**From:** Krista Vessell <hengest1066@yahoo.com>  
**Sent:** Monday, January 29, 2024 4:29 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Testimony in STRONG SUPPORT - Amendments to HAR Chapter 4-72

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly support the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide desperately needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not in vain.

As we have seen on Hawai'i Island, invasive pests like the little fire ant (LFA) may not only be devastating to our agriculture and local food security, but to our ecological and cultural integrity, quality of life, public health, and overall economy, potentially for generations.

Here on O'ahu, coconut rhinoceros beetles (CRB) appear to be winning the war they've waged on our communities for the past 10 years. Populations that were once contained and in a better position to be controlled are now being moved around the island, threatening a staple for sustainable food production.

With the little fire ant and coconut rhinoceros beetle now being found throughout the islands, we need to utilize every tool available as soon as possible, to support the all-hands-on-deck fight against these and other emerging pest threats.

Please pass these common sense amendments that would give the Department of Agriculture the tools it needs to do its part in the control and eradication of invasive species. Notably, these amendments would enable the Department of Agriculture to act much more quickly to legally prevent the sale and movement of certain invasive species and infested commodities between and within islands. This would be particularly critical to stopping "bad actor" nurseries and other businesses from knowingly selling infested plants and other items, confounding the work of agencies and community organizations to protect our islands and our future from the impacts of invasive pests. Businesses have a kuleana to protect the communities in such a fragile ecosystem as we have here in the Hawaiian archipelago, and if they refuse to do that, they shouldn't be allowed to do business.

Accordingly, I respectfully and strongly urge the Board to PASS the proposed rule amendments. Mahalo nui for the opportunity to testify.

Krista Vessell



#118

**Ho, Jonathan K**

---

**From:** Suzanne Marinelli <suzannemarinelli@gmail.com>  
**Sent:** Monday, January 29, 2024 4:49 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Voluntary compliance vs. actual compliance

Aloha.

I and many of my friends and associates are very supportive of a compliance mechanism that would require nurseries to prevent the sale of plants which are infested with Little Fire Ants (LFA) or bags of compost containing Coconut Rhinoceros Beetle. Or other pests.

In a contest between short-term profits vs. long-term viability of our lands and landscape, long-term viability needs always to prevail.

Hawai'i's lands are already overrun with invasive plants. It is well beyond time to honor this place and do right by it.

I support the amendments to Chapter 72 which would deal directly with this matter. And I pledge to do business only with honorable merchants who, in turn, honor this land. Always.

Feel free to contact me if you'd like to listen to me rattle on at great length about this important issue.

Mahalo,  
Suzanne Marinelli  
808 778 8257 ph/text

#119

**Ho, Jonathan K**

---

**From:** Daniel Bishop <dannyspunaluufarm@gmail.com>  
**Sent:** Monday, January 29, 2024 4:56 PM  
**To:** HDOA.PQ.TESTIMONY  
**Cc:** Daniel Bishop  
**Subject:** [EXTERNAL] Support Testimony for HAR Chapter4-72 Rule Amendment

I am in Strong Support

My name is Daniel Bishop and I am a resident of Koolau Poko. My family and I have farms in Waiahole and Punaluu valleys. One of my primary target crop is Coconut.

Pacific Islanders as well as other cultures have held Coconut in High Regard for Time Immemorial ! Like my Hawaiian ancestors I have been promoting Coconut as a secure source of Protein, Hydration and Building Material for a long time, . .

Canned coconut water has become an important growing commodity in our local stores . Coconut oil is being promoted as a very good cooking oil as well as a moisturiser/beauty product. Coconut milk is being used more by the restaurant industry.

Add to these value added products,

I will be relying on my coconuts to provide me and my Ohana with a source of Protein, and Hydration as part of our Hurricane preparedness kit, that wont need to be purchased from Costco in a mad rush.

Mahalo  
Daniel Bishop



**HAWAII  
GOOD  
FOOD  
ALLIANCE**

#120

Subject: Testimony in Support of Proposed Amendments to Title 4, Subtitle 6, Chapter 72, HAR  
- Hawaii Good Food Alliance

Sharon Hurd  
Chairperson, Board of Agriculture  
Hawaii Department of Agriculture  
1849 Auiki Street, Honolulu, HI 96819

Dear Chairperson Hurd,

I am writing on behalf of the Hawaii Good Food Alliance to express our strong support for the proposed amendments to Title 4, Subtitle 6, Chapter 72, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules." We commend the Hawaii Department of Agriculture's (HDOA) efforts to enhance its ability to enforce and control invasive species, particularly the Coconut Rhinoceros Beetle, little red fire ants, Avocado Lace Bug, coffee berry borer, and other threats to agricultural crops and food security.

Our organization recognizes the critical importance of effective quarantine measures and the need for comprehensive regulations to address the challenges posed by invasive species. The proposed amendments, which include quarantine restrictions on the Coconut Rhinoceros Beetle and its host materials, implementation of fees for inspections and permits, establishment of authority to prohibit the movement of infested materials within the state, and penalties for non-compliance, are crucial steps in safeguarding Hawaii's unique ecosystems and ensuring the resilience of our agriculture.

We specifically appreciate the clarity and simplification introduced through the proposed changes, including the addition of definitions such as "Compliance agreement," "Infested," "Pest," "Pest host material," "Soil," "SPRO," and "State." These additions contribute to a more transparent and effective regulatory framework.

Furthermore, we support the establishment of fees for inspections, permits, site inspections, and mileage reimbursements. We understand the importance of securing necessary resources to fund inspection and quarantine activities, and we believe that these fees will contribute to the sustainability of these critical programs.

The proposed amendments also address issues of liability and responsibility, clarifying that the State is not accountable for economic loss or damage. This clarification is essential in providing a fair and transparent regulatory environment for all stakeholders.



In conclusion, the Hawaii Good Food Alliance stands in full support of the proposed amendments to Chapter 72, HAR, and we commend the Hawaii Department of Agriculture for its proactive efforts in protecting Hawaii's agricultural resources and food security. We look forward to the successful implementation of these amendments for the benefit of our communities and ecosystems.

Thank you for your attention to this matter.

Sincerely,

Lucas McKinnon  
Managing Director  
Hawai'i Good Food Alliance  
lucas@hawaiigoodfoodalliance.org

*The Hawai'i Good Food Alliance is a diverse hui of individuals and organizations who share in the production, aggregation, and distribution of food, and share in the practice of mālama 'āina to re-build thriving community food systems. We join together—with a sense of urgency—to raise community voice and support one another in the belief that each and every person in Hawai'i can share in healthy, locally produced food.*



#121

**Ho, Jonathan K**

---

**From:** Ryan Christopher <soloventuresllc@gmail.com>  
**Sent:** Monday, January 29, 2024 5:03 PM  
**To:** HDOA.PQ.TESTIMONY  
**Subject:** [EXTERNAL] Invasive species regulation

Aloha, I wanted to voice my support for additional regulations to protect our islands from invasive pests. Please do more! One thing that I think needs to be done is stopping the shipments of Christmas trees every year. Every year something is found in those shipments, how many have pests that are not noticed?

Ryan Christopher  
Honokaa

--  
Thanks,  
Ryan Christopher