



[EXTERNAL] Testimony in Support of HAR Chapter 4-72 Rule Amendments

From Chuck Chimera <cgchimera@gmail.com>

Date Fri 10/18/2024 4:11 PM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

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. After nearly two years of anticipation, the adoption of these quarantine rules is long overdue and critically important for the future of Hawai'i's ecosystems, agriculture, and communities.

These amendments represent an essential step toward halting the spread of some of the most destructive invasive species our islands have ever faced. Both the coconut rhinoceros beetle and little fire ants have devastated large parts of O'ahu and East Hawai'i Island, respectively. Without the adoption of these rules, neighboring islands and communities remain highly vulnerable to similar infestations, potentially leading to irreversible damage to local agriculture, native biodiversity, and even our residents' quality of life.

I am extremely fortunate that my neighborhood in Honokaa is currently free of LFA, but I am worried every time someone brings home a plant from another part of the island where LFA are established. I am constantly encouraging my neighbors to test the plants for LFA, and other pests, before planting them anywhere in their yards, or bringing them into their homes.

The proposed quarantine measures would grant the Agriculture Department the necessary authority to more effectively manage the transport and sale of infested plants and materials, offering practical solutions to contain and eliminate invasive species before they take further hold. While these pests have already caused significant harm, the adoption of these rules would give us a fighting chance to protect uninfested areas, slow down further spread, and improve our efforts to eradicate these species.

We have already lost valuable time in addressing this issue. Public concern has only intensified since the January hearing, and the urgency is clearer than ever. We cannot afford to wait any longer while these invasive species continue to spread unchecked. The future of Hawai'i's environment, agriculture, and economy depends on swift and decisive action from the Board.

I urge you to adopt these rule amendments without delay. This is not just a matter of managing pests; it is about safeguarding the future of our islands for generations to come.

Mahalo for your time and consideration.

Sincerely,

Chuck Chimera

Honokaa, Hawaii



Outlook

[EXTERNAL] Invasives

From Cory Harden <333cory@gmail.com>

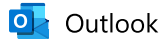
Date Mon 10/21/2024 3:15 PM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Aloha, please adopt the proposed rules on invasives wikiwiki. At home i am fighting fire ants, Himalayan raspberry, waiawi, gunpowder trees, and those horrid coquis, and living in fear of QLBs and CRBs. Mahalo.

Cory Harden, Hilo

Sent from my iPhone



[EXTERNAL] Rules to control transmission of invasive species between islands

From Dave Eggert <davheneggs@gmail.com>

Date Sun 10/20/2024 9:35 AM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Aloha HDOA board,

Mahalo for taking my comments into consideration.

Please consider making the current temporary rule's permanent, as well as matching the fines and rules with the potential, irreversible damages caused by the spread of these invasive species.

We have the advantage of nature providing a natural quarantine between land masses and it is generally only through human error that the problem is spread. I'm sure the cost to stop the initial contamination is considerably less than trying to control after the fact. Often to control after the contamination occurs is impossible at any cost. We have more than enough examples already to guide our future actions and devastation of inaction.

Mahalo again for letting me convey my concerns to the board.

Aloha,

Dave

Dave Eggert
475 Manawai Place
Haiku, HI 96708
808-318-0231
Davheneggs@gmail.com



Outlook

[EXTERNAL] Protecting ourselves from invasive pests

From Harriet Witt <harriet@passengerplanet.com>

Date Mon 10/21/2024 10:23 AM

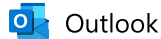
To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Dear Board,

Please support the rule amendments that establish bio-security provisions for pests like little fire ants and coconut rhinoceros beetles. If we are to grow our own food, we need this!

Mahalo for you help,

Harriet Witt, 43 Puu Koa Place, Haiku HI 96708



[EXTERNAL] Testimony Re: Agenda Item B-1 Proposed Amendments to Chapter 4-72

From Jonee Peters <jp@conservehi.org>

Date Mon 10/21/2024 12:14 PM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Conservation Council for Hawai'i, a non profit conservation organization, and the state affiliate of the National Wildlife Federation urge the adoption of the proposed amendments to Hawai'i Administrative Rules Chapter 4-72, which would provide better regulatory tools to combat the onslaught of invasive pests that are posing threats to our economy, food sources, and gives rise to the health of individuals and pets. These threats could potentially last for generations if we let this fall to the wayside.

With the little fire ant and coconut rhinoceros beetle just two of the latest invasive species threatening our islands, we need to utilize every tool available as soon as possible, to support the fight against these and other emerging pest threats.

Please adopt these very important and needed amendments that would give the Department of Agriculture the tools that are crucial to do its job in the control and eradication of invasive species. Importantly, these amendments would establish inter- and intra-island quarantine measures to prevent further movement of invasive pests, authorize compliance agreements for businesses, and enable the Department of Agriculture to act much more quickly to legally prevent the sale of certain invasive species and infested commodities. This is crucial to the future of Hawai'i's economy, ecosystem, and welfare of our people. It's cost effective to curtail pests before it becomes widespread, then to wait and need to spend more to combat an outbreak.

We, at the Conservation Council for Hawai'i, strongly urge the Board to ADOPT the proposed rule amendments.

Jonnetta "Jonee" Leina'ala Peters

Executive Director





[EXTERNAL] Written Testimony Hawaii Board of Agriculture Meeting Oct 22, 2024

From Katie Romanchuk <ohialani@gmail.com>

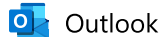
Date Mon 10/21/2024 9:24 AM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

I Katharine Romanchuk am writing to support the adoption of rule amendments that support inter and intra- island quarantines to help biosecurity safety for the future of our islands to prevent annoying and sometimes devastating invasive species such as: coqui frogs, little red fire ants, now the rhinoceros beetle and many more that have and will be introduced if we are not more careful. I am a farmer and conservationist working to protect Maui from harmful species that are already here, and it is big. We need to protect our local food products grown in the Hawaiian islands for our survival into the future and protect our fragile ecosystem which includes our forests, food and water, from further ruin, thank you very much for listening!



Katharine Romanchuk, Ha'iku Maui



[EXTERNAL] Testimony for Board Of Agriculture 10-22-2024 meeting, Item B. 1

From kimeona kane <kimeonakane@gmail.com>
Date Mon 10/21/2024 9:28 AM
To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Aloha kākou,
On behalf of the Waimānalo Neighborhood Board #32, I submit the following testimony in support of Agenda Item B.1 relating to the Chapter 4-72 Administrative Rules.

The Waimānalo Neighborhood Board #32, recognizes the critical nature of these rules and amendments. We understand the consequences if we do nothing, and we recognize that their are consequences if we do. We stand in support of agriculture and food production as well as preserving the integrity of the industry as it relates to invasive species. We have and continue to hold the position, that we must do more to protect our local farmers, community, and environments from invasive species. We believe that moving forward with Chapter 4-72 Rules, will allow for actions to be taken that align with needs that our community is facing today, specifically around three present species, Little Fire Ants, Coqui Frogs, and Coconut Rhinoceros Beetle.
Mahalo nui for the opportunity to provide testimony.

--

'O wau nō me ka ha'aha'a,

Kimeona Kane
Chair- Waimānalo Neighborhood Board
808 398 8989
kimeonakane@gmail.com

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[EXTERNAL] Support for Item B.1- 10.22.2024 Board Of Ag Meeting

From kimeona kane <kimeonakane@gmail.com>

Date Mon 10/21/2024 9:32 AM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Aloha

Kimeona Kane, resident of Waimānalo strongly urging the Board to take action and pass the amended Administrative Rules for Chapter 4-72 as it relates to invasive species that are currently impacting my community. In the time that has passed, we have seen upticks in the status of invasive species, and I strongly feel that some of this could be addressed through accepting of these amendments.

We have to take action.

Mahalo nui for the opportunity to provide testimony.

--

‘O wau nō me ka ha‘aha‘a,

Kimeona Kane

808 398 8989

kimeonakane@gmail.com

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Outlook

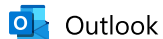
[EXTERNAL] Submit Testimony

From lulu 21 <millan.lourdes1@gmail.com>

Date Mon 10/21/2024 10:39 AM

To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

I Lourdes Millan resident of Waimanalo support the Proposed amendments to chapter 4-72, Hawaii Administrative Rules



[EXTERNAL] Please adopt rule amendments to stop the spread of invasive pests

From nan harter <nharter@hotmail.com>

Date Sat 10/19/2024 4:51 AM

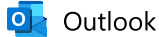
To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Please adopt the **rule amendments to establish inter- and intra-island quarantines for invasive pests and infested plants and materials**—including little fire ants and coconut rhinoceros beetles

These amendments are a critical step in slowing the spread of invasive pests and providing the Agriculture Department with the authority it needs to better manage the transport and sale of pest-infested plants and materials.

The board is respectfully requested to adopt these rule amendments now to provide Hawai'i with the practical, much-needed protection it needs against the rapid spread of invasive pests

Mahalo, Nancy Harter, Lahaina, HI



[EXTERNAL] Testimony for Agenda Item IV.B

From davidsher@juno.com <davidsher@juno.com>
Date Mon 10/21/2024 1:15 AM
To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

Dear Chair Hurd and Members of the Board of Agriculture,

I strongly urge the swift adoption of the proposed amendments to Hawaii Administrative Rules Chapter 4-72, which would provide critically needed regulatory tools to ensure that current and future community efforts to combat invasive pests are not futile.

With the effects of the climate crisis already being felt here in Hawaii, we must be vigilant and protect our local agriculture. Invasive species are a direct threat to our food security. We have already seen on Oahu and Hawaii Island how invasive pests like little fire ants and coconut rhinoceros beetles threaten to severely impact our food security, quality of life, public health, and economy.

We must use every tool available as soon as possible to support the fight against these and other emerging pest threats. Adopting these amendments would establish inter- and intra-island quarantine measures to prevent further movement of invasive pests, authorize compliance agreements for businesses, and enable the Department of Agriculture to act much more quickly to legally prevent the sale of certain invasive species and infested commodities. These measures are absolutely critical.

As such, I strongly urge the Board to ADOPT the proposed rule amendments.
Mahalo nui loa for the opportunity to testify.

Sherry Pollack
Ahuimanu



October 22, 2024
Board of Agriculture
9 a.m. Plant Quarantine Branch
1849 Auiki Street
Honolulu, Hawaii 96819

Testimony in Support of the Adoption of Proposed Amendments to Chapter 4-72 HAR

Aloha Chairperson Hurd and Members of the Board of Agriculture,

The Coordinating Group on Alien Pest Species (CGAPS) **strongly supports the adoption of 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. We are grateful to the Board of Agriculture for considering these rule amendments and hope you will push them on to finalization as quickly as possible.

The proposed amendments are desperately needed to prevent the further spread of invasive insects, diseases, and other pests within the State and within individual islands. These amendments are a very good step but are not perfect and we wish they went further to prevent the spread of invasive species within Hawaii. For instance, the proposed amendments do not expressly require quarantine of plants and other merchandise known to be infested or reasonably suspected to be infested with little fire ant (LFA), coconut rhinoceros (CRB), coqui frog, or other high impact pests. Instead, the proposed amendments *authorize* the Chief of the Plant Quarantine Branch to stop the movement of pest-infested material for sale to the public on a case-by-case basis. The Chief may also elect to allow the movement of the pest-infested merchandise.

To address this gap, we urge HDOA to adopt an interim administrative rule as soon as possible, followed by a permanent administrative rule, that requires quarantine of plants and other merchandise that is known to be infected or infested with a high-impact pest.

Section 4-72-23 of the proposed amendments to chapter 72, HAR, authorizes HDOA to restart the CRB compliance agreement program on Oahu. That program prohibits a person from transporting CRB host material from a CRB infested area to a CRB restricted area or from transporting, receiving, processing, selling, or giving away CRB host material within a CRB infested area without an HDOA permit or entering into a compliance agreement that requires the person to use best management practices to slow the spread of CRB. When this program was in effect on Oahu from July 2022 to June 2023, it was well executed by HDOA and CRB Response, well received, and effective. We look forward to HDOA restarting this program on Oahu. Section 4-72-10 of the proposed amendments allows the Board of Agriculture to expand a designated “infested area” by a simple order. We urge the Board to use that authority to expand

the CRB infested area to include Kauai. CRB is established in a number of areas of Kauai and implementation of the compliance agreement program on that island will slow the spread of CRB on Kauai and prevent its spread to uninfested parts of the State.

We are grateful for the re-implementation of the CRB compliance agreement program, but much more needs to be done to address the growing CRB emergency. Since the chapter 72 amendments were initially proposed in February 2023, CRB damage has increased and CRB populations have spread at a heartbreaking rate. We urge HDOA to work with the Office of the Governor to seek an emergency proclamation relating to CRB under chapter 127A Hawaii Revised Statutes (HRS). As CRB continues to spread across the State and the Department of Parks and Recreation has begun removing infested trees on the North Shore of Oahu, it is past time to seek a state-wide CRB emergency declaration. An emergency declaration would authorize county and state agencies to enable planning and implementation of CRB management strategies. In addition to authorizing waivers of certain laws or regulations, an emergency designation would authorize the Governor to “designate as public nuisances acts, practices, conduct, or conditions that are dangerous to the public health or safety or to property” and authorize that those public nuisances be abated (§ 127A-13), ease procurement requirements, and make additional funding available. We would be delighted to support HDOA in seeking such an emergency proclamation for CRB.

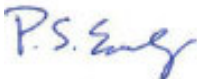
We appreciate all the work this Board, HDOA, and the invasive species response community in Hawaii have put into the finalization of the proposed amendments to chapter 72 HAR. We urge the final adoption of these amendments as quickly as possible.

Thank you for the opportunity to provide testimony in support of the proposed amendments to chapter 72, HAR.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow



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

October 22, 2024

State Department of Agriculture
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 to rapidly spread unfortunately unless something drastically changes, they will not be the last.

Once entrenched it is a formidable, expensive and sometimes impossible task to control or 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 of infested plants and compost.

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.

Little Fire Ants are entrenched and rapidly spreading. Their sting is painful to humans and when stung in the eye causes blindness in domestic animals.

Little Fire Ants can harm agriculture by tunneling through plant stems and roots to the environment and fire ant mounds can destroy irrigation systems and damage machinery during harvesting.

Coconut Rhinoceros Beetles (CRB) are also entrenched and rapidly spreading throughout Oahu causing the loss of unknown number of coconut trees and fear of eating coconuts

that have been treated with pesticides to kill active beetles. Unsuspecting tourists enjoying coconuts from roadside stands could unknowingly be eating a coconut from a pesticide treated tree.

Coconut Rhinoceros Beetles not only kill coconut trees they attack banana trees and can attack pineapples. The beetles threaten heritage plants such as loulu, the only native palm and native hala.

Adoption of these rules will help prevent the spread of CHBs throughout Oahu and to other islands.

We urge the adoption for these proposed amendments as a critical step in controlling and preventing the movement of invasive species from one location to another and from one island to another.



Board of Agriculture
October 22, 2024
9 a.m. Plant Quarantine Branch Conference Room
1849 Auiki Street
Honolulu, Hawaii 96819

Testimony Regarding Agenda Item IV.B.1 Proposed Amendments to Chapter 4-72, HAR

Aloha Chair Hurd and Board Members,

The Kauai Invasive Species Committee (KISC) **supports the proposed amendments to Chapter 4-72, Hawaii Administrative Rules (HAR)** and urges the Board to approve the adoption of the proposed amendments as presented. Detailed testimony in support of the proposed amendments was previously submitted at the January 30, 2024 public hearing. These amendments provide necessary authorities for Hawaii Department of Agriculture (HDOA) to prevent the **interisland and inraisland** spread and island-wide establishment of high-impact pests.

The adoption of these amendments is an important step towards HDOA better addressing the **inraisland** movement of pests that have evaded interisland prevention measures. Little fire ants (LFA) were first detected on both Kauai and Hawaii Island in the same year. Kauai was able to prevent the first infestation from spreading and eventually eradicate it because it was located in a residential area. Unfortunately, Hawaii Island's infestation was able to spread through the movement of infested materials. LFA have recently been detected at 5 sites on Kauai with high-risk pathways for inraisland spread. Now is the time for HDOA to make a lasting difference, adopting the amendments and implementing the rules as quickly as possible will help protect Kauai's agriculture and natural resources.

Similarly, coconut rhinoceros beetle (CRB) were detected on Kauai in May 2023 and have since been detected in multiple locations across the eastside. Kauai is in a crucial time period for successful containment. The impacts of CRB across Kauai will be exponential in 10 years compared to today if CRB infested material is transported around the island unrestricted.

We urge the Board to approve the amendments as proposed. Any further delay in adopting rules to prevent and slow the spread of high-impact species would be contrary to the Objective of Chapter 4-72 HAR.

Mahalo for the opportunity to comment on this measure,

Tiffani Keanini
Manager - Kauai Invasive Species Committee



[EXTERNAL] Testimony on BOA agenda item IV.B

From Wayne Tanaka <wayne.tanaka@sierraclub.org>
Date Fri 10/18/2024 4:33 PM
To HDOA.BOARD.TESTIMONY <hdoa.board.testimony@hawaii.gov>

 1 attachments (258 KB)
BOA Sierra Club Testimony Item IVB HAR 4-72 Rule Amendments 102224.pdf;

Aloha,
Please find the Sierra Club's testimony on item IV.B on next Tuesday's Board of Agriculture agenda.
Mahalo,

--
Wayne Chung Tanaka, Director (he/him/'oia)



sierraclubhawaii.org | 808-538-6616

The Sierra Club of Hawai'i only exists because of the support of people like you! Make a [donation today](#) and 100% of your contributions will go to the Hawai'i Chapter. Mahalo nui!



SIERRA CLUB OF HAWAI'I

Testimony to
Board of Agriculture

October 22, 2024

9:00 AM

PQB Conference Room

TESTIMONY IN SUPPORT of IV.B:

PROPOSED AMENDMENTS TO CHAPTER 4-72, HAWAI'I ADMINISTRATIVE RULES

Aloha Chair Hurd and Members of the Board of Agriculture,

The Sierra Club of Hawai'i once again emphasizes its **STRONG SUPPORT** of the critically needed rule amendments recommended for adoption in this agenda item, and urges the Board to ensure that staff continue to provide regular updates on its actions under the adopted rules, and the development and implementation of its plans – including legislative requests – to address high-risk vectors in the regulated industry.

The Sierra Club reiterates the importance of the Department of Agriculture using its full range of regulatory tools authorized by statute, consistent with many other jurisdictions and as critically needed to stem the proliferation of invasive pests across our islands. The adoption of these rule amendments, over 20 months since the Board first approved them for public hearing, is a long-awaited first step in doing so. The Sierra Club accordingly urges the Board to adopt these rule amendments as recommended in the hearing officer's report.

However, the adoption of these rule amendments will require extensive follow up to ensure they are meaningfully implemented. Given the inordinate delay in the passage of these rules and the perceived historical reluctance of Department leadership to fulfill the Department's regulatory role in invasive species response, we strongly urge the Board to agendaize updates on the implementation of these rules, as well as other actions taken to address the biosecurity crises facing our islands. This should include presentations on any capacity and resource needs, and plans to meet these needs through federal, state, or private sources.

Notably, such presentations will help to assure Hawai'i residents that the Department and the Board recognize and are fulfilling their kuleana within the ongoing all-hands-on-deck fight against invasive pests. With such widespread concern in the community concerning the need for greater biosecurity controls, regular presentations and a restored sense of trust will also enable the public to support the Department's needs, including at the Hawai'i State Legislature.

As a final matter, the Sierra Club highlights the ongoing spread of coconut rhinoceros beetles on Kaua'i and the recurring discovery of these pests on other neighbor islands notwithstanding the interim interisland quarantine rules that had been established for a year, and then reinstated this month. While the Sierra Club appreciates the reinstatement of these interim rules, lessons learned on O'ahu regarding the spread of this pest through mulch and other decomposing green material must also be applied to prevent the further inter- and intra-island spread of this

potentially devastating pest. This includes the authorization of county mulch and green material management programs as has been requested by neighbor island mayors and that requires Department approval. **The Sierra Club therefore urges the Board to request that Department staff prepare and present an additional interim rule amendment to the Advisory Committee on Plants and Animals, authorizing county mayors to consult with the Department and their respective invasive species committees to establish a green material management program for any island where coconut rhinoceros beetles are found.**

The Sierra Club notes that the Hawai'i constitution requires the state and its agencies and entities, including the HDOA and the BOA, to take proactive action to protect our cultural and natural public trust resources, Native Hawaiian traditional and customary practices, as well as the public's right to a healthful environment – all of which are being jeopardized by the ongoing lack of rules to regulate the intra-island sale and movement of commodities infested with invasive pest species.

Accordingly, the Sierra Club of Hawai'i strongly urges the Board to approve the rule amendments to HAR § 4-72; request regular updates on the implementation of these amendments and other plans to combat invasive species, including resource and capacity needs; and request that Department staff take further action to empower our various counties to fight against the spread of coconut rhinoceros beetles on our neighbor islands.

Mahalo nui for your consideration of this matter.