

State of Hawaii  
HAWAII INVASIVE SPECIES COUNCIL  
Honolulu, Hawaii

January 19, 2006

Chairpersons and Members  
Hawaii Invasive Species Council  
State of Hawaii  
Honolulu, Hawaii

Council Members:

SUBJECT: APPROVAL OF A RESOLUTION THAT DEPARTMENTS USE ALL EXISTING AUTHORITIES TO STOP THE SPREAD OF COQUI (*ELEUTHERODACTYLUS COQUI*) INTRAISLAND, INTERISLAND AND TO OTHER LOCATIONS OUTSIDE THE STATE OF HAWAII AND DEVELOP AUTHORITIES AND PROTOCOLS TO FILL CURRENT GAPS

BACKGROUND:

Presently, conservative estimates are that the large population of coqui on the Big Island near Hilo is approximately 5000 acres. As current tools do not allow for the eradication of such a large population, developing a strategy for containment that includes cooperative action is required to prevent the spread of coqui from infested areas to uninfested areas.

One critical element is that all partner agencies need to improve communication and clarify authorities to meet the goal of no coqui on Kauai or Oahu, containment on Maui with eradication at all nursery and isolated population sites, and suppression on the Big Island with long term, enforceable treatment regulations that will ensure that frogs are not moved interisland. The Invasive Species Committees (ISCs) have made excellent progress towards eradication on Kauai and Oahu with containment on Maui and support for Big Island community efforts. Since the ISC's are partnerships that allow the participating agencies to effectively execute their authorities it is critical that the agencies consistently exercise their existing authorities to allow for the successful completion of control efforts.

**Current regulations**

The following is a summary of applicable DLNR and HDOA laws and regulations. A 1998 MOU also states that DLNR will address alien species on state lands and HDOA will address alien species on private lands and that they will cooperate and extend their authority to the other agency when cooperation is not possible.

ITEM B

Department of Land and Natural Resources:

Hawaii Administrative Rules (HAR) 13-124-3(d) provides:

With respect to injurious wildlife, except as provided in subsection (e), no person shall, or attempt to:

- (1) Release injurious wildlife into the wild;
- (2) Transport them to islands or locations within the State where they are not already established and living in a wild state;
- (3) Export any such species, or the dead body or parts thereof, from the State.

Exhibit 5 – Injurious Wildlife, Chapter 13-124, includes "Frogs - All species in the Order Anura". The Order Anura includes all frogs and toads.

This established that DLNR has authority to control coqui frogs on State lands and impose penalties when intentional transportation of injurious wildlife is documented.

Hawaii Department of Agriculture:

The coqui has been designated as a pest under HRS 150A-2: "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. This designation allows HDOA to take action on infested intrastate (interisland) plant shipments.

**Gaps in Authorities**

Currently, there are no rules associated with the authority in Act 85 2003 for access to private lands for the purpose controlling invasive species. Developing rules for access specifically for coqui should be made a high priority.

Because the primary mode transportation of coqui is infested plant materials and current regulations focus on intentional movement of the coqui themselves or require the visual detection of a coqui in materials prior to treatment, they are not able to adequately regulate this pathway. Requiring a treatment prior to the movement of materials that may harbor coqui would reduce the risk of transporting coqui as well as identifying the need to address materials that are likely to be infested.

RECOMMENDATION:

That the Council resolve to support the adoption of the following policy:

“All existing authorities to stop the spread of coqui (*Eleutherodactylus coqui*) intransland, interisland and to other locations outside the State of Hawaii will be exercised. Where

gaps exist, all agencies will work cooperatively to develop authorities and protocols to stop the spread of coqui.”

Respectfully submitted,

---

MINDY WILKINSON  
Invasive Species Coordinator  
Division of Forestry and Wildlife