

DAVID IGE
GOVERNOR OF HAWAII

SHAN TSUTSUI
LIEUTENANT GOVERNOR



HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325
HONOLULU, HAWAII 96813

VOTING MEMBERS

SUZANNE CASE
DEPARTMENT OF LAND & NATURAL
RESOURCES

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DEPARTMENT OF AGRICULTURE

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DEPARTMENT OF HEALTH

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UNIVERSITY OF HAWAII

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PLANNING

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DEPARTMENT OF TRANSPORTATION

HISC Meeting Minutes

June 10, 2015, 3:00 PM

Hawaii State Capitol, Room 309
415 S. Beretania St, Honolulu, HI, 96813

HISC Members in Attendance: Leo Asuncion (DBEDT), Kenneth Grace (UH), Neil Reimer (HDOA), Suzanne Case (DLNR), Keith Kawaoka (DOH), David Rodriguez (DOT)

HISC Participants in Attendance: Senator Mike Gabbard, Representative Richard Onishi

Public Attendees: Josh Atwood (HISC), Randy Bartlett (HISC), Emily Montgomery (HISC), Alfred Kuehlewind (CFI), Norma Acob (CFI), Ellen Watson (CSCH), Christy Martin (CGAPS), Rachel Neville (OISC), Andrew Porter (CGAPS), Patrick Chee (DOFAW), Brian Neilson (DAR), Angela Kieran-Vast (Navy), Domingo Cravalho (US FWS), Teya Penniman (MISC), Lori Buchanan (MoMISC), Darcy Oishi (HDOA)

Meeting Minutes

1. **Call to order:** Neil Reimer (HDOA) at 3:08 p.m.

2. **Introductions**

3. **Approval of minutes from October 28, 2014 meeting**

Motion by Ken Grace (UH), seconded by Leo Asuncion (DBEDT), unanimously approved

4. **Staff presentation: Review of invasive species issues in the 2015 legislative session**

Summary: HISC staff tracked about 35 bills this year. Mahalo to HISC for support through interagency and departmental testimony. Summary of legislation this session (bills in green passed, in red did not):

| Bill # | Description | Introducer |
|--|---|--|
| HB500 | 4 Vector Control Workers (DOH), 1 Transit-Oriented Planner Position (DBEDT), \$1.5M for roadside albizia control (DOT), \$750,000 for HISC | Souki |
| SB1299 | \$4M for HISC, \$7.5M for natural areas & watersheds, \$3.4M for wildlife; repealed conveyance tax disposition and associated special funds | Tokuda |
| HB1471 | \$100,000 to update LRB study on invasive species | Luke |
| SB359 | Amends barrel tax to address fossil fuel distributors | Gabbard |
| HB482 | Creates coffee berry borer program at HDOA | Lowen |
| SB97, SB1046, SB544, HB437, HB1456 | Would have appropriated \$6M to HISC in FY16 and FY17 | Gabbard, L Thielen, Yamane, Keohokalole |
| HB871 | Authorized HDOA to enter into private-public partnerships for biosecurity | Tsuji |
| SB1062 | Transitioned the HDOA Biosecurity Program to a department-wide initiative | Kim (Gov) |
| SB1059 | Established a compliance and quarantine program | Kim (Gov) |

| | | |
|------------------|--|--------------------|
| SB591, HB528 | Appropriated \$2.1M to control albizia on Hawaii Island | Ruderman, Evans |
| HB1050 | Would have established a pesticide program on state lands around nurseries | Tsuji |
| HB1403 | Would have established an LFA Pesticide Coupon program for Hawaii Island | Onishi |
| Various | 7 bills would have used special funds at DLNR, DOH, and HDOA to control albizia | Various |
| SB1043, HB250 | Funding for pilot projects for LFA, CRB, coqui frog, canine detection teams, and outreach programs | Taniguchi, Choy |
| HB772 | Funding to study Rose-Ringed Parakeet on Kauai | Kawakami |

5. Submittal: Requesting direction on the promulgation of administrative rules relating to the Hawaii Invasive Species Council

Summary: HISC's authorizing statute grants authority to adopt rules but this has not been actively pursued. The primary purpose is to address HRS 194-2(6) mandating HISC to identify and record all invasive species present in the State. There are two primary models for rule promulgation that have been identified by HISC staff: 1) list is incorporated in rule and any updates are pursuant to Ch 91 (e.g., Noxious Weed List, Injurious Wildlife List), and 2) listing process described in rule, updates not pursuant to Ch 91 (e.g., lists of animals for import). Pursuing the latter model would facilitate updates to an invasive species list, but would require a change to HRS 194 to grant such an authority. Direction was requested from the Council regarding which model to pursue.

Discussion

- What if the legislation amending HRS 194 did not pass?
 - We could move forward with the alternative option (administrative rule contains the actual list) or wait until the following session and request it again.
- The potential model sounds like a good idea, makes sense, and seems feasible.
- Context from HDOA: the intent with the lists of animals for import (HAR 4-71), HRS 150A-6.6 was to expedite the process but still have an open process and public input. It has been tried 1-2 times and was still cumbersome. Suggest looking at this example closely and identifying what has made it difficult, how it could be modified, etc.
- Public Comment: It is unclear what a HISC list is and why we would need it, but familiar with the private property issue. We have a lot of questions, but can work with HISC staff for answers offline. Suggest and encourage having a discussion on Molokai because the island is going through community planning process. In the 2050 Sustainability Plan there is a goal to develop invasive species as commercial products and Molokai is discussing this to try and take a proactive approach and help the economy. In this context, what actions would be triggered once something was added to this list? Could one island be exempt and what if one species is present on one island but not on another?
 - There is nothing about a designation of invasive species that would impact the type of marketing or utilization in question. The need to have a list is to fulfill HISC mandate. The values of a list include: 1) educational, 2) allows for utilizing the private property access authority in statute, and 3) looking into the future and ways that we discuss invasive species as a group of organisms that we want to regulate.
- Are there other issues to be described in rule other than the species list?
 - That is up to the Council. We worked a few years ago with an attorney at DLNR to draft language for rules. There are other considerations (i.e. council function, program staff) that can be looked at if the Council wanted to.
- Public Comment: If there is a process to list something, then must also have a process to delist. HISC has a built a very good reputation statewide for doing good work and being open and collaborative. This effort should be done with the same openness and integrity.
- Part of the process will be to define invasive species for the purpose of the HISC and the parameters for listing, review, updating etc. Some of this work can start now.
- To clarify, we are talking about a different purpose for this list than from others that currently exist. The HDOA noxious weed list gives authority to HDOA to control certain weeds that meet certain criteria. When those criteria are no longer met those species need to be taken off the list. This may not apply to the type of list HISC is looking at.

Decision: Motion made by Suzanne Case (DLNR) for staff to proceed with proposed amendments to HRS 194 that authorize HISC to adopt administrative rules describing a listing process and then update the list by board action. Seconded by David Rodriguez (HDOT) and unanimously approved.

6. Submittal: Requesting adoption of the proposed Hawaii Invasive Species Council Strategic Plan 2015-2020

Summary: For a full summary of the planning process, visit: dlnr.hawaii.gov/hisc/hisc-strategic-planning-2014/. The first draft of the goals and strategies went out for review on October 24, 2014 and were presented to the HISC on October 28, 2014. The full draft plan went out for review on April 24, 2015. The final draft was posted on May 26, 2015 and sent to the HISC for approval at today's meeting.

Discussion:

- What happens if the plan is not approved today, what are the next steps?
 - It would depend on the Council's direction as to why the plan was not ready for approval and what needed to be addressed. Based on that feedback, a process would be developed to address the issues and bring the plan back to the council at a future date for approval. If the changes needed are minor, the plan could be approved today pending changes requested.
- Concern: for biocontrol, one of the suggested priorities was for joint facilities (a facility that USDA, HDOA, and UH could all use), yet it is not listed in the plan?
 - This is addressed under the control section, goal 4. HISC's primary role would be to support efforts towards getting that increased capacity in the state and the strategy under goal 4, *facilitate discussions to identify and prioritize needs and advocate for them*, is where that priority would come up. Additionally, the strategies in the plan are intended to be implemented within the HISC working group system, there we would have that discussion of what are the needs for biocontrol.
- Because facilities were listed as a game changer and ranked very high priority at the initial planning workshop and have been a priority for a long time, it seems that it should be explicitly stated here. The intent is there, but just not explicitly stated.
 - This can be addressed.
- Public Comment: The initial kick-off strategic planning workshop was a partnership and joint session for both HISC and CGAPS. It was a challenge getting all of the information collected into a plan, and HISC's work in doing so is appreciated. CGAPS went through a similar process. There are some priorities that are so important and have gotten lost a bit and would love for them be articulated very clearly because we will not always be the ones in the room to interpret the plan. The need for inspection facilities, the biocontrol facility, and supporting the need for rapid response capacity.
- For clarity purposes, pull some of the highest-ranking priorities from the appendix as examples into the strategies within the plan.
 - In each section under the goals, there are supporting descriptions that also include some of this more explicit text, which came from the priorities and game changers.
- Public Comment: Mahalo for everyone's work in pulling this together. What is in the plan is a result of what came out of the collaborative process. Is there some way for the council to weigh in on prioritization of what to take on within the plan because there is so much there and so much to be done. There is a need for more guidance on addressing highly prioritized weaknesses. Currently, the strategies include the HISC acting as a forum to try and make things happen but would love to see this language be stronger.
- The council has a role to play and should weigh in. The council has already been quite involved through the whole process through their staff's participation. If priorities change, then we can address it. Additionally, specific to the funding process, priorities are addressed annually for funding proposals. This provides an annual opportunity for the council and public to highlight the highest current priorities for a given time.
- The goals are not listed in a prioritized order. The intent is that this will go to the HISC working groups and they will discuss which priorities to begin working on and how to start. This builds in flexibility and opportunities for feedback from the council.
- Once the ranking is established, does that determine HISC funding each year? For example, if a joint inspection facility is a game changer but the legislature doesn't fund it, does that become a responsibility of the HISC to fund with its funding?

- The strategies in the plan should reflect HISC's kuleana. The level of funding it would take to address building new facilities would not fall within HISC's role.
- Another example is the issue of albizia, a number of bills came up, but the legislature decided that those bills would not get funded because HISC was funded. So does albizia become a funded project of HISC?
 - It is a possibility, but it's not directly related. Albizia can be a priority and we have funded albizia control projects and biocontrol research. But it is not a one-to-one relationship where if a bill for funding a specific invasive species project dies in the legislative session, HISC is required to pick it up with its interagency funding.
 - HISC does invite legislative participation in the funding process and it is very helpful.
- The legislature may not have a clear message from HISC in regards to how concerns and issues are going to be addressed by funding. The legislature may have the viewpoint that when we don't fund invasive species bills it's because we fund HISC instead and it's HISC's responsibility to prioritize funding for those issues. The legislature doesn't know what the HISC priorities are and what they are going to fund and through the legislative process, we develop our own priorities. There is a disconnect at some level. How do we get to the same level, working together and not separately.
 - There is no statutory guidance for HISC that determines how funds are allocated. It has been an interagency effort to evaluate proposals. From practice, the HISC budget is not meant to cover all of the invasive species issues that come up in the legislature, especially core programs and staff at different departments, those items come through the biennium budget. If there is a bill for a specific project that is a priority for the legislature it should move forward. HISC funding is important and appreciated to help fill the gaps. The existence of a HISC funding mechanism does not mean that there should not be funding for specific issues as well. For example, coffee berry borer and macadamia felted coccid are invasive species that the legislature is interested in and has passed specific legislation and appropriations for. This year, 1.5 million was allocated to DOT for albizia control along state roadways.
 - HISC is not meant to be the catch-all for invasive species. It is a filler between gaps.
- We need to all be on the same page as to whether the legislature is funding projects independent of HISC that address invasive species or if we are going to allow HISC to establish the statewide priorities and fund HISC to address them.

Decision: Motion to approve the 2015-2020 HISC Strategic Plan with revisions (adding the language from game changers listed in the appendix to the strategies under control goal 4) made by Leo Asuncion (DBEDT), seconded by David Rodriguez (HDOT) and unanimously approved.

7. Staff presentation: Review of upcoming proposal review process for FY16 fiscal awards

Summary: Early April: Council & stakeholders surveyed for current priorities → **April 30:** Proposal Guidelines Released, with due date of **May 29** → **June 2:** Proposals posted online for review → **June 15: Evaluation Committee Proposal Review Meeting:** Review initial scores, generate questions → Questions sent to applicants for response by June 19 → **June 29: Resources Working Group Meeting:** Moderated by DBEDT. Evaluation Committee reviews suggested awards to create a recommended budget → **July X: HISC Meeting:** Council meets to review the recommended budget, make any desired changes, and vote on the adoption of a final FY16 budget.
FY16 Evaluation Committee: David Rodriguez (DOT), Justine Nihipali (DBEDT), Leyla Kaufman (UH), Laura McIntyre (DOH), Ken Kakesako (HDOA), Josh Atwood (DLNR)

8. Next meeting date and topics: Date: July, TBA, main topic will be HISC FY16 Budget

9. Public Comments: This is Emily's (HISC Planner) last Council meeting. Mahalo nui for all of her work with HISC.

10. Adjournment: Motion by Ken Grace (UH), seconded by Leo Asuncion (DBEDT), unanimously approved. Meeting adjourned at 4:15 p.m.