

Hawai'i Invasive Species Council

Tuesday, June 4, 2013, 1:00 PM

Rm 325, Hawaii State Capitol, 415 South Beretania St, Honolulu, HI, 96813

HISC Voting Members Present: Jesse Souki (DBEDT), Gary Gill (DOH), Russell Kokubun (DOA), David Rodriguez (DOT), Maria Gallo (UH-CTAHR), William Aila (DLNR)

HISC Participants Present: Loyal Mehrhoff (USFWS), Senator Nishihara, Representative Derek Kawakami

Public Attendees: Josh Atwood (DLNR), Jackie Kozak Thiel (HISC), Earl Campbell (USFWS), Christy Martin (CGAPS), Ford Fuchigami (DOT Airports), Ken Kakesako (DOA), Angela Kieran-Vast (DOD), Janet Ashman (HFBF), Inga Gibson (HSUS), Shahin Ansari (citizen), Randy Grune (DOT Harbors), Christine Ogura (USFWS), Cindy Young (Dept. of AG), Keevin Minami (DOA PQ), Jacob Muisse (BIISC), Randy Kennedy (DLNR), Kate Cullison (DLNR), Teya Penniman (MISC), Lori Buchanan (MOMISC), Michael Buck (NASF), Stuart Stein (USDA APHIS PPQ), Mike Melzer (UH CTAHR), Darcy Oishi (DOA-PPC), Julia Parish (OISC), Sonia Gorgula (DLNR-DAR), Kupono Matsuoka (DLNR-DOA), Neil Reimer (DOA), Keren Gundersen (KISC), Barry Brennan (UH CTAHR), Domingo Cravalho (USFWS-PIFWO), Joshua Fisher (USFWS-PIFWO), Mark Fox (TNC), Kamo Quiteris (OHA)

Action Items:

- USFWS will connect with DOT and DOA about joining inspection space
- HISC support staff will convene an interagency group with DOT Harbors to identify interagency needs for port inspections
- HISC support staff will make edits to resolutions and submit to Council members for signatures

Meeting Minutes

1. Call to order (1:00 PM, Chair Kokubun)
2. Introductions of Council members
3. Review and approval of January 8, 2013 meeting minutes (Chair Kokubun moves to approve, Gary Gill seconds, all approve)
4. Outcomes of invasive species bills in the 2013 Legislative Session
 - a. Josh Atwood (HISC Coordinator)--First time HISC submitted testimony
 - b. Budget bill (HB 200 / SB 1061)
 - i. Vector control staff
 1. Gary (DOH)—50% success, DOH asked for 8 new positions to help control, prevent and monitor disease bearing organisms at ports statewide, 4 were funded out of special funds, will not be able to increase coverage on neighbor islands, but currently have more on neighbor islands than on Oahu (don't yet know where they will be stationed) These are vector workers, not inspectors
 - ii. HISC general funds
 1. Josh—have not had general funds allocated to HISC since FY09, had request for \$2M annually for biennium, received \$750K/year for each year, step in right direction to restore general funds

- iii. Watershed Initiative funds
 - 1. DLNR--\$3.5M in general funds, \$5M in CIP funds, will go back to legislature next year to request continued funding
 - c. Conveyance tax bill (HB 935 / SB 1166)
 - i. Josh--Did not pass, would have added HISC as official designated use of the NARF and increased rate on sale of homes over \$2M
 - d. Bag fee bill (HB 934 / SB 1165)
 - i. Josh—did not pass
 - ii. William (DLNR)-the support from the community helped the Legislature to fund via general funds and CIP
 - e. Barrel tax bill (HB 857 / SB 1088 / SB 17)
 - i. Josh—would have allocated the funds to original intent to DOA, DBEDT and DOH
 - ii. Russell (DOA)—we appreciate the legislature recognized the important work of department by funding through general funds and CIP
 - iii. Gary (DOH)—DOH did not receive funds. Because we are using less oil, there are less funds for DOH and may have to riff people because legislature didn't raise the 5 cents to 10 cents and did not fund through general funds. Don't have capacity to respond to emergency like oil or chemical spill.
 - f. Urging the HISC to develop an Albizia control plan (SR 41)
 - i. Josh—introduced by Sen. Ruderman, names the HISC and urges Council to draft and implement plan to address albizia, urges DOA to explore biocontrol agents for albizia, Council can decide if this is a priority for HISC support staff to work on this plan
 - ii. Josh attended stakeholder meeting in Hilo convened by Sen. Ruderman on this issue
- 5. State and federal invasive species issues
 - a. Recap of cabinet & federal partner meetings with US Congressional delegates
 - i. Russell (DOA)—outreach to Congressional delegation to bring them up to speed on our efforts, most positive outcome is that we had reps from various state and federal agencies attend with united front, there are some limitations of our ability to work together but there are a lot of opportunities for coordination, most important issues were highlighted, no specific asks at this point, but may go to them in the future for help
 - ii. Earl (USFWS)—they went well, focused on biosecurity issues
 - iii. Josh—we will also be briefing Gov's staff on these issues later this week
 - b. Discussion on joint inspection facilities at airports
 - i. Neil Reimer (DOA), Stuart Stein (USDA APHIS PPQ), Randy Grune (DOT Harbors) and Ford Fuchigami (DOT Airports) joined discussion to participate
 - ii. Russell (DOA)—would like to thank Ford for all his efforts with DOA staff to develop joint facilities
 - iii. Ford (DOT)—early goal was to establish joint facilities modeled after Kahului to house CBP, DOA, and USDA PPQ together, airports division is not able to spend funds on things that are not aviation related, so we agreed to work with DOA and identify a third party to develop a public-private partnership facility. This would centralize inspections and develop office, quarantine and refrigeration space, looked at Kona first where there was an urgent need, in Hilo we are in process of building a cargo facility, we designed it to accommodate joint inspections and more space, will be finished in one year, opportunity to house

- all DOA staff in one building and have everything brought to them, Honolulu—have cargo facilities at east and west side of the airport, the Kona private partner said that they would be willing to develop facility for Honolulu, in negotiation with them, hired design consultant to meet DOA’s needs, will be built at no cost to DOA, wanted to include other partners—USDA and CBP, USDA received A&E money to develop their own facility
- iv. Stuart (USDA APHIS)—PPQ is committed to provide staff and facilities, just received A&E money to develop inspection station, been going state by state throughout the nation, it is HI’s turn, we are in the middle of this process
 - v. Ford (DOT)—we have an aggressive goal, want the HNL facility up and running this year. Public-private partnership doesn’t cost USDA or DOA any CIP funds. Airports division is only involved until lease is set and it is up and running. Airports division fully supports what HISC does, but can’t support anything that says this is an airport function
 - vi. Jess (DBEDT)—in terms of the inspections, is it 100% or spot check?
 - vii. Ford (DOT)—Armstrong produce has inspection facility at their site—they inspect every single can. But other airline sites are more a spot check.
 - viii. Neil (DOA)—the ability to bring all cans to centralized location is much more biosecure than opening them up in parking lots, where things can blow away and spoil. We do not do 100% inspection, we do it based on risk assessment and prioritization, some commodities are much more common to have pests
 - ix. Jesse (DBEDT)—how does private partner make money?
 - x. Ford (DOT)—the airlines would hire private partner to bring all the cargo to the facilities and put things in refrigeration units, will make money on preventing spoilage, they already work out of LAX
 - xi. Loyal (USFWS)—I would like to connect USFWS wildlife inspectors with this project
 - xii. Russell (DOA)—the experience from Kahului joint inspection facility demonstrated importance of contained environment
 - xiii. Gary (DOH)—this is fantastic. Saw the Kahului model was successful and now through public-private partnership are putting one at every airport with no cost to the state! What were some of the pests detected and prevented?
 - xiv. Neil (DOH)—diseases, aphids, other insects not known to occur, we didn’t find any snakes
 - xv. Randy (DOT)—DOT harbors supports DOA’s biosecurity, we have incorporated area, allocated space for inspection and quarantine, Kapalama, Kahului, and Hilo Master Plans, will continue to work with DOA, will not build or operate them, but will just provide the space
 - xvi. Loyal (USFWS)—are you looking at joint space?
 - xvii. Randy (DOT)—we are providing space, if that works out, we support it.
 - xviii. Russell (DOA)—that is key for us, will come to one site, DOA is there, inspect highest risk
 - xix. William (DLNR)—if you are still in the planning, we could get together to ID interagency space needs
- c. Submittal: Requesting HISC resolutions regarding state and federal invasive species issues in Hawaii
- i. Josh—this is a response to Jan 8 meeting, Christy Martin (CGAPS) presented about state-federal priority issues that were ID’ed by CGAPS steering committee

and shared with Phil Andreozzi (NISC) and with Congressional delegation, these issues have been summarized in four resolutions, opportunity for HISC to fulfill statutory intent, today's meeting is to facilitate dialogue. Major issues are about federal preemption, coordination and communication between state and federal agencies, airport inspections, BTS and Lacey Acts. (see submittal and resolutions)

- d. Supporting federal recognition of Hawaii's unique biosecurity needs and coordination between federal and state inspection agencies
 - i. Mark (TNC)—federal preemption in respect to invasive species issues has to do with federal govt. controlling trade and movement of commerce between states and from foreign governments, in commerce clause, and more specific in Plant Protection Act. State can't pass laws stricter than USDA for interstate, state can't pass any rules that impact plants and plant materials in foreign cargo, there are exemptions, the states can petition USDA using risk assessments to point out special needs in the state, Myrtaceae rule is an example.
 - ii. Gary (DOH)—are there other states that are challenged by this too?
 - iii. Mark—talking to other people in state Depts. Of Ag, sounds like they feel that they are restricted on what they can prevent but are tasked with funding and dealing with the clean up of invasive species. There are bills being considered to provide support for state depts. of ag.
 - iv. Russell (DOA)—every state is facing invasive species issues, and they are interested in this too
 - v. Gary (DOH)—this resolution expresses general concern, but what will it take to address this
 - vi. Mark (TNC)—they cant just grant individual exemptions, it is a long process to build scientific evidence and provide petition with risk assessment, point is to call attention to overall issue and the exemption process, have lots of constituencies weigh in, and to show that it can work
 - vii. Russell (DOA)—the resolutions also support joint inspections that can help to deal with this too
 - viii. Jesse (DBEDT)—we are not asking them to remove federal preemption, we should remove that part, we are actually asking them to expedite exemptions from federal preemption for high risk pests to HI
 - ix. Stuart (USDA APHIS PPQ)—we would like to work with the state to ID top priority pests
 - x. Loyal (USFWS)—CA gets special consideration (i.e. USDA inspections to CA but not to HI), part of this is getting the word out about HI's challenges and context
 - xi. Mark (TNC)—inspecting things leaving here is to prevent species of fruit flies from impacting western agriculture, they are not native to HI, but that pre-clearance inspection is to protect mainland agriculture
 - xii. Jesse (DBEDT) moves to adopt resolution with amendment, Senator Nishihara seconds, all approved, motion carried
- e. Supporting federal recognition of pest inspections as a core airport function
 - i. David (DOT)—DOT opposes this resolution
 - ii. Ford (DOT)—support intent of HISC, on the record—we are a business, we don't receive any general funds, based on rates and charges at the airports, projects are funding by FAA and revenues, we need to comply with FAA regulations on

- using funds, we believe that DOT needs to use funds on airports, we will do everything possible that we can do outside of direct funding to support HISC
- iii. Jesse (DBEDT)—how would a biosecurity facility be different than what TSA or USDA does?
 - iv. Ford (DOT)—currently USDA’s function is to inspect passengers going through system, not considered core function, funded by Homeland Security
 - v. Jesse (DBEDT)—how would biosecurity program work to support space in airports?
 - vi. Ford (DOT)—I am required to charge rental rate to federal and state agencies, if FAA doesn’t consider it as a core airport function, we can’t supplement.
 - vii. Russell (DOA)—it would allow DOA to charge airlines
 - viii. Gary (DOH)—is any other entity or state raising this issue?
 - ix. Ford (DOT)—no. FAA is fighting it because it would open the door.
 - x. Gary (DOH)—even if we pass this, I am concerned about viability
 - xi. Ford (DOT)—I approached FAA about supporting coqui work at Hilo airport and they approved. So there are some things that HISC does that I can support.
 - xii. Mark (TNC)—I completely understand the discussion and where Ford and DOT are coming from, but as a business they create an environment that allows people and cargo to move around freely, and if you create a business and it has a negative impact on society, you have to pay for those impacts, so I don’t understand that they don’t see the impacts as their problem, the feds have dealt with it by allowing USDA to charge a fee, but DOA can’t and is not allowed to, Ford has done amazing job to figure out how to help, but they are limited, this resolution is asking our delegation to understand breadth of issue and look into it with FAA and OEQ, and they could come back that it is not an airport function, but they could also come back to recognize that airports facilitate movement of invasive species
 - xiii. Sen. Nishihara—if you look at what airports do is to move as many passengers as they can, but when you have state issues like invasive species that someone will want to travel somewhere because it is a problem, it reduces income stream.
 - xiv. Jesse (DBEDT)—CFR is based on a statute created by Congress, but they didn’t allocate money?
 - xv. Stuart (USDA)—there is something called interline, we worked out cooperative agreement that we would share costs, no line item in the budget
 - xvi. Mark (TNC)—interline exists to prevent inconvenience for passengers, USDA said it is not required for us to fund that, Inouye provided earmark for years, the airlines are now helping to pay for it
 - xvii. Ford (DOT)—this is a federal mandate, now that the funding is not there, we need to deal with it
 - xviii. Jesse (DBEDT)—going back to the resolution, my problem is asking your program to take something that is not their expertise, it seems like the biosecurity program should be getting special treatment in HI
 - xix. Mark (TNC)—it is not asking them to take on this function, the issue is money, not authorities and expertise, and whether ag quarantine is core function of airport business and should that revenue be allowed to be used to support inspections
 - xx. Jesse (DBEDT)—putting the program under FAA is different

- xxi. Loyal (USFWS)—it would be good to have this discussion with FAA, when DOD considers new actions, they think about invasive species to comply
- xxii. Ford (DOT)—FAA provides funding, FAA has been willing to work with me on things, FAA gave original approval for \$2M for HISC, but did not move forward within HI DOT
- xxiii. Russell (DOA)—this issue clearly needs more discussion, please give public comments to Josh, we will defer
- f. Supporting the reauthorization of the Brown Tree Snake Control and Eradication Act of 2004
 - i. Josh-BTS act provided funding to federal agencies, working group, programs at offices, and on the ground operations
 - ii. Russell (DOA)—resources have been provided but not at same level
 - iii. Earl (USFWS)—the BTS Act ceased after 5 years, has been used for appropriations for OIA and DOD for transfer of funds in relation to Guam build up, it lays out a mechanism for coordination, it includes authorization for USDA funding, which was cut. HI gets Office of Insular Affairs funds
 - iv. Russell (DOA)—helps with detector dog program
 - v. Earl (USFWS)—current agencies involved, DOI and USDA, there is DOD interest in reauthorization to allow clear mechanism for appropriating funds
 - vi. Sen. Nishihara moved to support, Gary second, all approved
- g. Supporting amendments to the list of injurious species under the Lacey Act
 - i. Josh—Lacey Act prohibits movement of wildlife species, we have a similar state list
 - ii. Gary (DOH)—why are we limiting ourselves to snakes?
 - iii. Earl (USFWS)—due to the introduction of pythons to FL, there was a listing package that included all large pythons and boas, so origin is that HI was concerned about other snakes omitted, our special agent mentioned that it would be helpful if the Lacey Act mirrored the state list
 - iv. Sen. Nishihara moved to approve, Dean Gallo second, all approved
- h. Josh—next step, finalized draft with amendments will be circulated to your offices to have each member sign, one potential use is to present them to the Gov's office with MBP resolution as HISC biosecurity package to be submitted with Gov letter of support and congressional delegates
- 6. HISC-funded Project Update: Big Island Axis Deer Project (Jake Muise, BIISC)
 - a. helicopter time (500 hours) restitution—halfway through hours, key to surveys
 - b. dispatched 4 deer
 - c. funding overview (funding from HISC included, 23%)
 - d. halfway through 6-7 year project, decreasing population estimates as we cover more area
 - e. 100% permission from landowners
 - f. Maria (UH CTAHR)—What DNA markers are being used?
 - g. Jake— We collect skin sample from ear, lymph nodes (bovine) and blood sample
 - h. Josh—taking tissue and blood samples and storing in case more funding in future. No genetic markers identified yet. Utility of genetic distinction between Maui/Moloka'i populations not clear.
 - i. Gary (DOH)—1M budget and 4 dead deer?
 - j. Jake—most is in kind, actual budget is 450K, estimate less than 15-20 deer on island, probably more around 10, not seeing established populations

- k. Gary (DOH)—how much land can you survey with infrared?
 - l. Jake—in regular helicopter you fly transects, with this equipment, I can cover many more miles, only major impact is vegetation
 - m. Josh—this investment far outweighs the cost to agriculture, native forest, and tourism
 - n. Springer (BISSC)—with how big the BI is, we are at 37-50 cents an acre to survey
7. HISC Support Projects (Josh)
- a. Recap of Hawai'i Invasive Species Awareness Week, March 4-8
 - i. Planned first HISAW this year: had website, Governor's proclamation, awards, media coverage, statewide public and volunteer events, PSAs on Maui for Spot the Ant contest, DOD publications, and online bioblitz
 - b. New hire for planning initiatives
 - i. Emily Montgomery—support strategic planning, management plans and other related efforts, from Florida, coordinated interagency initiatives there
 - c. New website
 - i. <http://hisc.hawaii.gov>, moves HISC under state umbrella, can find resolutions, old meeting minutes, funded project reports, etc.
8. Upcoming meeting dates and location:
- a. FY14 Funding Proposal Process
 - i. Proposals due June 5, series of meetings before HISC budget review and approval
 - b. HISC FY14 Budget Approval: July 1, 2013, State Capitol Rm 325
9. Public comments
- a. Springer (BISSC)—had 40 attendees for albizia meeting--state legislature members, county council, HELCO, board of realtors, USDA forest service, very unifying topic, people on BI are afraid of their safety, lives when think about albizia, stakeholders know a lot about albizia, how much it costs to control on Kauai
10. Adjournment (Chair Russell Kokubun)