

5/29/24

Dear HISC Council Members,

I am writing to support adoption of a new subtitle and new chapters under Hawaii Administrative Rules as Title 13, Subtitle 14, Chapters 325 “General Provisions” and 326 “Control and Eradication of Invasive Species,” to effectuate chapter 194, Hawaii Revised Statutes, including a list of invasive species that may be controlled on private and public property by the State, a county, or their agents.

As a resident of Hawaii and worker in conservation for the past 30 years, I have been actively involved in efforts to protect the natural and cultural resources of our island home, and the unique plants and animals that are found nowhere else on earth. While I have been heartened by the strides made in ecosystem and species preservation, I have been equally dismayed by the ever-worsening crisis of newly established invasive species that threaten to reverse or undo many of our successful and ongoing conservation endeavors. Despite the collective efforts of public and private agencies and organizations, devastating invasive pests and pathogens, such as the coconut rhinoceros beetle, the fungal pathogens causing rapid ohia death, and fire-promoting grasses like fountain grass, continue to establish and spread beyond their current known ranges and expand their harmful impacts to new locations statewide.

While I am not naïve enough to think that adoption of new administrative rules will be sufficient to solve this existential invasive species problem, I believe that we are long past the “all hands on deck” moment of this crisis, and that every step taken to remedy this problem is a step in the right direction. This problem is much bigger than any single agency can solve. Adopting the administrative rules and establishing a process that gives HISC the ability to create lists of invasive species for control or eradication by the State, a county, or their agents, as required by law, is the least that can be done at this point.

I therefore urge you to consider taking all the necessary steps to proceed with the adoption of the administrative rules, and look forward to attending public hearing on this critical matter in the future.

Mahalo for your consideration,

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The Wildlife Society
Hawai'i Chapter

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To: Co-Chair Chang, Co-Chair Hurd, and members of the Hawaii Invasive Species Council (HISC)

From: The Wildlife Society, Hawaii Chapter

Re: Agenda item 6: Request for approval to initiate rulemaking proceedings, including conducting public hearings on adoption new subtitle 13-14. Hawaii Administrative Rules, to effectuate chapter 194, Hawaii Revised Statutes (HRS), including by developing a list of invasive species that could be controlled or eradicated on private and public property by the departments of the Hawaii Invasive Species Council or a county or agent thereof;

The Wildlife Society (TWS), Hawaii Chapter is in strong support of the HISC request to initiate the rulemaking process to make active parts of chapter 194, Hawaii Revised Statutes (HRS) including the development of a list of invasives species that can then be controlled or eradicated on private and public property by HISC departments, counties, or their agents.

TWS is composed of wildlife professionals within the State of Hawai'i and is dedicated to the conservation and preservation of flora and fauna endemic to the Hawaiian Islands.

Since being established in 2003, the HISC has had under its duties given by HRS section 194-2(a)(6) the mandate to, "Identify and record all invasive species present in the State". Although the language did not specify how this needed to be done, a list of invasive species maintained by the HISC would reasonably fill that role. This is not to say that the member departments of the HISC don't already maintain lists that contain invasive species. These include the Hawaii Department of Agriculture's list of Prohibited Species and the Department of Land and Natural Resources' Injurious Wildlife List. However, it has been unclear if using those department lists could justify using the private and public property entry provisions of HRS sections 194-5 and 194-6.

TWS is supportive of establishing an invasive species list under the HISC and instead of recreating the list from scratch, make a process to automatically incorporate species that have already been on existing lists as they are now and be added to the HISC list as these other lists are updated in the future. This should not preclude the HISC from establishing its own means to add to its invasive species list but would help get the list established more quickly and be updated in the future.

The TWS is also supportive of the HISC members and their agents being able to use HRS sections 194-5 and 194-6 to access private and public lands as well as compelling the landowners and managers to remove invasive species known to be there. Being unable to do so has hindered efforts to control and eradicate invasive species in a timely manner and has significantly reduced the effectiveness of HISC staff to prevent further establishment and spread of priority invasive threats.

We understand initiating the rulemaking process is just the beginning. TWS supports this effort and will be looking forward to participating in the public hearings as they are announced.

Mahalo for the opportunity to comment on this submittal. Should you have any further questions please contact our Conservation Affairs Chair, Patrick Chee at twshicac@gmail.com .