



November 13, 2024

Hawai'i Invasive Species Council
Public Hearing
Thursday, November 14, 2024
10:30a, DLNR Board Room, 1151 Punchbowl Street and via Zoom
Honolulu, Hawai'i, 96813

Aloha Co-Chair Chang, Co-Chair Hurd, and Council Members,

My name is Christy Martin and I am the Program Manager for the Coordinating Group on Alien Pest Species (CGAPS). I am writing in strong support of the proposed draft HISC rules.

As you may know, CGAPS was formed in 1995 following a 1994 congressional report that found that Hawai'i had the worst invasive species problem of all the states and that additional coordination could address some of the issues. CGAPS aimed to engage agency leads but over the years we have found that we function best at the management level. The need for engagement of agency leads remained, so CGAPS worked with agencies, NGOs, and legislators to request the 2002 Legislative Reference Bureau report, *Filling the Gaps in the Fight Against Invasive Species*, and subsequently to request that a state-level council be enacted for cabinet-level leadership and coordination.

Since the 2004 enactment of Chapter 194 which created the HISC, support staff and Attorneys General have attempted to draft administrative rules that describe how the authorities would be applied to this complex statute. After years of starts and stops, changes in personnel, and changes in the statute adding important authorities, we finally have a proposed draft rule. One of the most important authorities that could finally be accessed with the passage of this proposed draft rule is the language that lays out a process for communicating with landowners to request and gain access to control serious pests such as little fire ants (LFA). In communities where all the neighbors have banded together to locally eradicate LFA, we have seen where one resident refuses access, which places the entire community in perpetual jeopardy.

HDOA's rules include similar language. However, the response to LFA and some other high-priority pests is being conducted by partner agencies and groups that do not have these authorities. Similar notification and access language can be found in cases of fire and public health hazards, and certain pests certainly rise to this level where the health of the community may outweigh an individual's privacy preferences.

Chapter 194 also requires the HISC to identify all invasive species present in Hawai'i

And to designate one of three departments (Agriculture, Health, or Land and Natural Resources) as the lead agency for prevention, control, education, and more, thus the proposed list of high-priority species is also a good step.

“(6) Identify and record all invasive species present in the State;(7) Designate the department of agriculture, health, or land and natural resources as the lead agency for each function of invasive species control, including prevention, rapid response, eradication, enforcement, and education;” Haw. Rev. Stat. § 194-2

As a final comment, the proposed draft rules may not be perfect, they may not access all the authorities in the statute. However, year after year legislators ask why these rules are not in place. They recognized that more agencies need to share the kuleana of addressing invasive species and that’s why they have included these provisions in the statute. Mahalo for the opportunity to share my thoughts and I urge your support for the advancement of these proposed draft rules.

Aloha,



Christy Martin, Program Manager
Coordinating Group on Alien Pest Species (a project of the University of Hawai‘i at Mānoa-Pacific Cooperative Studies Unit)

Aloha HISC committee,

I express strong support for the additions of Title 13, Subtitle 14, Chapters 325 “General Provisions” and 326 “Control and Eradication of Invasive Species” to the Hawai'i Administrative Rules. The addition of these are an important tool for management of invasive species in Hawai'i, especially little fire ant which poses an existential threat to Hawai'i's agriculture and biodiversity.

I also appreciate the modifications made to the draft rules based on my previous testimony.

Kevin Faccenda