



Hawaii Invasive Species Council  
Thursday, March 20, 2025  
11:00 am, DLNR Board Room  
Kalanimoku Building

Aloha Co-Chairs Chang and Hurd and Members of the Council,

Thank you for the opportunity to provide testimony on agenda item 4, Discussion on Senate Bill 1100 and House Bill 427 (Hawaii State Legislature) and Actions that Impact the Hawaii Invasive Species Council.

The Coordinating Group on Alien Pest Species (CGAPS) appreciates the Legislature's continued focus on invasive species in both SB 1100, *Relating to Biosecurity*, and HB 427, *Relating to Biosecurity* and this discussion of the impact of those bills on the Hawaii Invasive Species Council (HISC or Council).

However, we have concerns regarding the impact of some of the measures in these bills on the autonomy and interagency character of the Council. We believe that HISC should be preserved as an independent Council, guided by its co-chairs and members, administratively attached to the Department of Land and Natural Resources (DLNR) and not overseen by the newly created Deputy Chairperson of Biosecurity of the newly renamed Hawaii Department of Agriculture and Biosecurity (HDOAB) or by any other official of one of HISC's component departments.

The Committee on Agriculture & Food Systems modified SB1100 SD2 HD1 to remove language that transferred HISC from DLNR to HDOAB and modified HB 427 to remove language that required HISC to report to HDOAB during the duration of a biosecurity emergency. We strongly support these modifications.

HISC was established in 2003 as a temporary Council administratively attached to the Office of the Governor.<sup>1</sup> In 2006, HISC was made permanent and placed within DLNR for administrative purposes only.<sup>2</sup> These placements recognize that invasive species have impacts across sectors in addition to agricultural impacts.

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<sup>1</sup> Act 85, Session Laws of Hawaii 2003 §3(b)

<sup>2</sup> Act 109, Session Laws of Hawaii 2006 §§1, 12

Chapter 194 of the Hawaii Revised Statutes (HRS) sets out the Council's duties and its membership. As you know, HISC is comprised of the chairs or directors of DLNR, Department of Agriculture (HDOA), Department of Health (HDOH), Department of Transportation (HDOT), Department of Business, Economic Development and Tourism (DBEDT), and the President of the University of Hawaii (UH), or their designees, for the purpose of "providing policy level direction, coordination, and planning among state departments, federal agencies, and international and local initiatives for the control and eradication of harmful invasive species infestations throughout the State." (HRS 194-2) HISC is co-chaired by the Chairperson of HDOA and the Chairperson of DLNR. HISC's composition as an independent Council, guided by its co-chairs and members, recognizes that invasive species impact natural resources, human health, consumers, and transportation, in addition to agriculture.

In addition to participating in HISC, each HISC department has its own specific statutes and mandates for preventing and responding to invasive species that are overseen by the head of that entity. For example, HDOA's authorities prevent pests from entering Hawaii from other states and spreading interisland. HDOH surveys and monitors for and controls invasive vectors and pathogens that affect public health. UH, among other things, carries out research and development on detection and control methods and adaptive management techniques. DLNR has the authority to regulate biofouling and ballast water to prevent the introduction of aquatic invasive species and performs control and eradication actions for aquatic invasive species and for terrestrial invasive species on conservation lands.

During the nearly 20 years that HISC has been administratively attached to DLNR, the Council has successfully carried out its coordinating function, including through its annual competitive grants program that supports projects statewide and across sectors. It is unclear to us if or how moving HISC to HDOAB might affect that grant program, and HISC staff functions, such as the Hawaii-Pacific Weed Risk Assessment specialist.

We also note that many new invasive species response and funding opportunities are created by SB 1100 that do not have any role for HISC entities other than HDOAB. Part IV of SB 1100 SD2 HD1 authorizes Biosecurity Emergency Response Teams, which do not appear to allow participation by State or county employees. Part VI of SB 1100 SD2 HD1 creates three new sections. The first requires HDOAB to enter into readiness and response agreements with businesses and representatives of businesses in the plant and animal industries of the State to prevent, detect, and rapidly respond to "unwanted organisms." State departments, UH, and counties appear ineligible to enter into these agreements with HDOAB. The second section creates an invasive species dashboard for posting invasive species treatment information. That section authorizes the Deputy Chairperson for Biosecurity of HDOAB to stop the funding of any State department, agency, political subdivision, or contracted party that does not provide information to the dashboard. The third section allows any person to request HDOAB fund management activities for new and possibly existing pests under a pest management plan. This new section requires the Board of Agriculture and Biosecurity to approve the plans and HDOAB

will share costs and may enter into contracts to carry out the plans. The use of the term “person” appears to exclude participation by any State or local government entity.

Section 13 of HB427 HD2 authorizes HDOAB, with the Governor’s approval, to declare a “biosecurity emergency” if: (1) there is a new outbreak or occurrence of a pest or harmful organism in the State; (2) there is a pest or harmful organism established in one area of the State that could cause significant economic or environmental loss if the pest or organism expands to other areas; or (3) a pest or harmful organism is or threatens to be beyond the State’s ability to control. If such an emergency is declared, the Governor can transfer funds from HISC, DLNR, or any other account within the Governor’s control to HDOAB to address the emergency. As the criteria for a biosecurity emergency are currently met for multiple invasive species in the State, including little fire ant (LFA), coconut rhinoceros beetle (CRB), and coqui frog, this is a potentially powerful and ongoing authority.

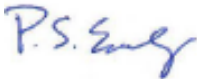
These new invasive species authorities further support leaving HISC attached to DLNR to promote balance and preserve the ability of all HISC departments to have their invasive species-related priorities considered and carried out. If additional oversight of HISC is determined to be desirable, we believe that oversight should come from the Lieutenant Governor’s Office, not one of the HISC departments.

Mahalo for consideration of our testimony.

Aloha,

A handwritten signature in blue ink, appearing to read "Christy Martin".

Christy Martin  
CGAPS Program Manager

A handwritten signature in blue ink, appearing to read "Stephanie Easley".

Stephanie Easley  
CGAPS Legal Fellow