



Minutes of the Board of Agriculture

I. CALL TO ORDER – The meeting of the Board of Agriculture was called to order on December 16, 2014 at 9:14 a.m. by Board of Agriculture Chairperson Scott Enright, at the Plant Quarantine Conference Room, 1849 Auiki Street, Honolulu, Hawaii 96819.

Members Present:

Scott Enright, Chairperson, Board of Agriculture
Jerry Ornellas, Kauai Member
Michelle Galimba, Member-At-Large
Richard Ha, Hawaii Member
William Aila, Chairperson, Board of Land and Natural Resources
Mary Alice Evans, Deputy Director, Department of Business, Economic Development and Tourism

Members Absent:

Lynn DeCoite, Maui Member
Clark Hashimoto, Member-At-Large
Dr. Maria Gallo, Dean of the College of Tropical Agriculture & Human Resources
University of Hawaii (CTAHR-UH), Ex Officio Member
Glenn Hong, Member-At-Large

Others Present:

Jim Wayman, Hawaii Coffee Association
Randy Teruya, Agricultural Asset Manager, Hawaii Department of Agriculture (HDOA)
Agricultural Resource Management Division (ARMD)
Jeri Kahana, Administrator, HDOA Quality Assurance Division (QAD)
Baird Fleming, Honolulu Zoo
Laura Debra, Honolulu Zoo
Mike Fujimoto, Department of Land and Natural Resources (DLNR) Department of Aquatic Resources (DAR)
Dennis Shinno, DLNR/DAR
Brian Kanenaka, DLNR/DAR
Leland Watanabe, Watanabe Floral
Wayne Katayama, Kauai Coffee Company
Trenton Yasui, HDOA Plant Quarantine Branch (PQB)
Chris Kishimoto, HDOA/PQB
Janelle Saneishi, HDOA Chairperson's Office (CHR)
Michael Opgenorth, HDOA/CHR
Amy Takahashi, HDOA/PQB
Lance Sakaino, HDOA/PQB
Neil Reimer, HDOA Plant Industry Division Administrator

1 Linda Santos, Honolulu Zoo
2 Andrew Goff, Deputy Attorney General, Attorney General's Office
3 Haunani Burns, Deputy Attorney General, Attorney General's Office
4

5 II. APPROVAL OF MINUTES FROM 10/28, AND 11/25/14 MEETINGS
6

7 Chairperson Enright stated there was a question whether the meeting minutes could be voted
8 on at this meeting and that the Board would proceed directly with the ARMD agenda items.
9

10 III. COMMENTS FROM THE GENERAL PUBLIC ON AGENDA ITEMS (ORAL OR
11 WRITTEN)
12

13 The Board will take testimony for each testimony item as it comes up in the agenda.
14

15 IV. INTRODUCTION AND COMMENTS
16

17 V. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
18

19 A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
20

- 21 1. Request Approval for Issuance of a Right-of-Entry To the County of Hawaii,
22 TMK (3) 1-5-116: Various Parcels Keonepoko Iki, Pahoa, Island of Hawaii
23

24 Presentation from Randy Teruya as submitted. The request is for a one-year right-of-entry to the
25 County for the purpose of mitigating the effects of the Kilauea volcano Pu`u O`o lava flow and
26 facilitating the flow to the steepest descent path. Staff recommends the Board grant this right-
27 of-entry.
28

29 Motion: Ha/Evans
30

31 Board member Evans asked Mr. Teruya if the emergency declaration from the Governor means
32 access to public and private lands would change.
33

34 Board member Teruya responded by stating that would not necessarily be the case. The
35 Governor's declaration only authorizes federal assistance and resources like the National Guard
36 to help the relief effort. However, it does not give government access to State owned lands or
37 give government authority over privately owned lands.
38

39 Vote: Approved: 6/0
40

- 41 2. Request for Consent to Assignment of General Lease No.
42 S-4842, Lot 29; From Maisie Rodrigues to Craig A. Chambers,
43 TMK (3) 7-3-049:025; Keahole Agricultural Park, Kalaola
44 North Kona, Island of Hawaii
45

46 Presentation by Randy Teruya as submitted.
47

48 Motion: Aila/ Galimba
49

1 Board member Ornellas said that even though he will be supporting this request for consent to
2 transfer the lease, he had an issue with the lot being used for landscaping construction and
3 maintenance operations versus purely agricultural operations. Few farmers would be able to
4 pay the \$150,000 transfer fee. He stated that the Board would have to look at this issue a little
5 more closely to make sure construction and maintenance activities are not taking place on these
6 agricultural properties.

7
8 Vote: Approved 6/0

- 9
10 3. Request for Consent to Sublease Between the Hamakua Agricultural
11 Cooperative and Lili Solomon, Lot No. 19 TMK (3) 4-6-003:001 (por.),
12 Hamakua, Island of Hawaii

13
14 Presentation by Randy Teruya, Property Manager of HDOA/ARM as submitted.

15
16 Motion: Evans/ Ha
17 Vote: Approved 6/0

18
19 B. PLANT INDUSTRY DIVISION

20
21 Invertebrate and Aquatic Biota

- 22
23 1. Request to Revise Permit Conditions for the Importation of Rainbow Trout,
24 *Oncorhynchus mykiss*, a Fish on the List of Restricted Animals (Part B), by Permit,
25 for Rearing at the Anuenue Fisheries Research Center, Oahu and for Release for
26 Public Fishing in Puu Lua Reservoir, Kokee, Kauai, by the Division of Aquatic
27 Resources, Hawaii Department of Land and Natural Resources.

28
29 Presentation by Trenton Yasui, HDOA Plant Quarantine Branch (PQB) Acting Invertebrate
30 Aquatic Specialist. The person responsible in this request is Dennis Shinno, Aquatic Biologist
31 for the Department of Land and Natural Resources (DLNR). He has been involved with the
32 rainbow trout rearing and release project since 1971, and has been the project leader since
33 1985. The shipper is Mt. Shasta Trout, a fish hatchery in California. 100,000 rainbow trout
34 eggs are shipped annually to the Anuenue Fisheries Research Center. After accounting for
35 losses, 30,000-40,000 rainbow trout fingerlings are shipped to Kokee, Kauai by the Division of
36 Aquatic Resources (DAR), DLNR.

37
38 Rainbow trout is a member of the Salmon family, and grows to an average about 20-30 inches
39 long. Their native distribution is to the rivers and lakes of North America, west of the Rocky
40 Mountains. Recently, the spread range of rainbow trout has spread throughout the United
41 States due to the popularity of sport fishing. As determined by the studies by Bishop Museum
42 that are referenced in the Board submittal, release of new stock is necessary to sustain this
43 fishery on Kauai. Also, the second study by Bishop Museum reported there were no adverse
44 effects on native aquatic species associated with the release.

45
46 Motion: Aila/ Evans

47
48 Discussion:

49

1 Board member Evans complimented staff for a very thorough submittal. She then asked how
2 long trout has been imported into Hawaii for sport fishing in Kokee.

3
4 Dennis Shinno of DLNR, DAR stated that rainbow trout has been imported to Hawaii since the
5 1920s. In 1955, eggs began to be imported by the State for the hatcheries. In 1992, DAR
6 started to use Puuloa reservoir and use that location for fishing. Back then, 500 fish would be a
7 good catch. Last year's fish count was at 27,000 fish.

8
9 Board member Evans asked whether, during the time since the 1920s, there have been
10 situations where the rainbow trout has caused a problem for Hawaii's ecology.

11
12 Mr. Shinno stated that, in 1977 there was a concern that the trout had potentially negative side
13 effects. Bishop Museum's study in 2000 found no detrimental effect to fauna in streams,
14 especially as to the native damselfly. Since 1979, DAR discontinued stocking of the streams to
15 focus on stocking the reservoir. Today, there are still some naturally spawning populations in
16 the streams.

17
18 Board member Ornellas asked if this is the reservoir that Kauai Island Cooperative (KIC) was
19 recently granted a right of entry for to do a pump storage study. If that happens, what will
20 happen to this fishery, and to the trout.

21
22 Mr. Shinno stated that Puuloa Reservoir was indeed the same reservoir, but the main concern is
23 the water would be too warm for trout survival.

24
25 Board member Ornellas asked what the DLNR's stance is on that project.

26
27 Board member Aila stated that the thought process that the DLNR Board used in approving the
28 right of entry and the release concept is that the KIC could increase the capacity of the reservoir
29 to its historic levels. This would be conducive to lowering water temperature, cooling the water,
30 and making the conditions more appropriate for trout growth and sustaining the trout. Board
31 member Aila said that the KIC group has been doing great for the last 30 years.

32
33 Board member Ornellas confirmed that this reservoir with rainbow trout is a great asset for the
34 community.

35
36 Vote: Approved 6/0

37
38 Plants

- 39
40 2. Request for Preliminary Approval of Proposed Amendment to Chapter
41 4-70, Hawaii Administrative Rules, Entitled, "Plants and Non-Domestic Animal
42 Quarantine, Plant Import Rules," to Add a New Subchapter to Restrict the
43 Importation of Myrtaceae (Myrtle Family) Plants and Plant Parts to Prevent the
44 Introduction of New Strains of 'Ohi'a rust, *Puccinia psidii*, a Plant Pathogen.

45
46 Presentation by Lance Sakaino, Acting Plant Specialist for the HDOA Plant Quarantine Branch
47 (PQB) as submitted. Myrtaceae is an ecologically, culturally, and, economically important plant
48 species. In 2005, `ohi`a comprised about 80% of the native forests in Hawaii. There are about
49 200 species of non-native myrtaceae occurring in Hawaii. Studies reveal that the `ohi`a rust in
50 Hawaii is isolated to one strain. Even though the current strain of this rust in Hawaii has not

1 seriously affected Ohia plants other than seedlings, 5 of 7 strains of *Puccinia psidii* were
2 recently tested in Brazil on young 'ohi'a plants from Hawaii and 3 showed serious effects on
3 'ohi'a. If just one more of these strains are introduced, given the potentially wide host range
4 here, it could be detrimental to the native forests and, thus, to watershed and cultural resources
5 throughout Hawaii. The risk is that the rust spores can travel on nursery stock without visual
6 symptoms, and because the spores can survive for 2 – 3 months, they can travel undetected.
7

8 Acting Plant Specialist Sakaino summarized the language of proposed rule section 4-70-56,
9 HAR, that would prohibit Myrtaceae introduction except under one of the four situations listed
10 that minimize the risk, such as dried, non-living plant materials.
11

12 Acting Plant Specialist Sakaino said that PQB made it clear to numerous parties, including the
13 cut flower industry, that public testimony would be accepted at the presentation of this submittal
14 to the Board. PQB also notified USDA Animal Plant Health Inspection Service (APHIS) about
15 this agenda item. The Advisory Committee on Plants and Animals had voted unanimously (7-0)
16 to recommend approval of this amendment to Chapter 4- 70.
17

18 Motion: Ha/ Galimba
19

20 Chairperson Enright called Dr. Neil Reimer, HDOA Plant Industry Administrator, forward to be
21 available for questions.
22

23 Board member Evans, speaking as a member of the Department of Business and Economic
24 Development and Tourism (DBEDT), asked Dr. Reimer what economic impact this rule would
25 have on the biofuel and other agriculture-related industries that rely on Myrtaceae species.
26

27 Dr. Neil Reimer stated that the HDOA has worked with affected industry and the nursery
28 industry that brings in cut flowers to find some replacements for Myrtaceae or otherwise mitigate
29 issues. He stated he was not certain what the impacts would be on the biofuel industry at this
30 point. However, the Department will have to go to the Small Business Review Board and
31 present this proposed rule amendment to them for a more in-depth analysis. Dr. Reimer said
32 that he is not aware of any economic study that has been done to get into details on impacts
33 and doesn't have specifics or numbers. He said that, from what he was told, the economic
34 impact is small. The big issue is the potential impact on our native forests if there is no
35 restriction on Myrtaceae import. We know this rust has potential to have severe impact on our
36 forests. The 'ohi'a rust strain we have currently impacts seedlings and is not virulent, but other
37 strains are and we are concerned about new species getting in with new strains of this rust.
38 The more important question is what the impacts will be to the native forests if a more virulent
39 strain gets into the State. This amendment is not totally prohibiting Myrtaceae, but making rules
40 so there are mechanisms to import it while also reducing the chance that it can bring in new
41 strains of *Puccinia psidii*.
42

43 Board member Ha stated he has seen the effects of this rust on the rose apple trees on his
44 farm. He said that every single rose apple died and that he has been watching this for the last
45 few years.
46

47 Dr. Reimer confirmed Board member Ha's observation that the 'ohi'a rust strain we currently
48 have in Hawaii is very virulent to Rose Apple and he repeated the concern that a new strain
49 can affect Ohia forests.
50

1 Vote: Approved 6/0

2
3 Entomology

- 4
5 3. Request to: (1) Allow the Importation of House Cricket, *Acheta domesticus*, an
6 Insect on the List of Restricted Animals (Part A), by Permit, for Research and
7 Exhibition by the Honolulu Zoo; and (2) Establish Permit Conditions for the
8 Importation of House Cricket, *Acheta domesticus*, an Insect, on the List of
9 Restricted Animals (Part A), by Permit, for Research and Exhibition by the
10 Honolulu Zoo.
11

12
13 Presentation by Christopher Kishimoto, PQB Entomologist, as submitted.

14
15 Motion: Ornellas/Evans

16
17 Board member Evans said that she hears crickets in Waimanalo, and asked if the potentially
18 imported species would be a different species.
19

20 Mr. Kishimoto confirmed the species being requested for importation is different than the one
21 currently in Waimanalo.
22

23 Vote: Approved 6/0.

24
25 At 10:03 Chairperson Enright called for a recess.

26
27 Chairperson Enright called the meeting back to order at 10:10 am
28

- 29 4. Request to Designate the Island of Oahu as an Expanded Coffee Berry Borer
30 Infested Area Subject to Quarantine Measures to Prevent the Movement of the
31 Coffee Berry Borer, Coffee Plants and Parts Thereof Including Unroasted Seeds
32 (Green Coffee Beans), Used Coffee Bags, and Coffee Harvesting
33 Equipment Including Baskets, Sacks or Containers, Pursuant to Section 4-72-
34 4.5, Hawaii Administrative Rules.
35

36 Presentation by Dr. Neil Reimer, HDOA Plant Industry Administrator made an oral presentation,
37 without written submittal, to the Board. He stated that, on December 5, 2014, during a United
38 States Department of Agriculture (USDA) flower inspection in Waialua, the Coffee Berry Borer
39 (CBB) was positively identified on Oahu for the first time. HDOA's Plant Pest Control staff
40 assembled a survey team that included University of Hawaii and USDA staff, took a survey
41 throughout the affected coffee farm, sampled on a large area and found three heavily infested
42 "hot spots" and several other areas that were moderately or lightly infested. The Plant Industry
43 division has been conducting periodic surveys for CBB throughout the State. Based on
44 previous surveys, the estimation is that this beetle has been on this farm for about a year. The
45 affected coffee company has been shipping green coffee from Oahu to other islands throughout
46 this time. Now, HDOA is conducting trace methods to determine where that coffee went. The
47 HDOA is working with Kauai Coffee Company to ensure that there is no CBB on Kauai.
48

49 Dr. Reimer said that the Waialua coffee mill and trees near the mill, which is located six miles
50 away from this coffee farm, are also infested. It is not known which location was infested first.

1 Oahu is not a large coffee production island, but from what we know, there are seven small
2 growers here. He said that wild coffee is reportedly growing in Aiea and Maunawili but HDOA
3 does not expect these wild plantings would be infested.
4

5 Dr. Reimer said that the affected coffee farm and mill are cooperating fully with HDOA in a
6 voluntary quarantine and are not shipping out coffee, so the infestation won't be spread
7 elsewhere. He said that, because it appears this CBB infestation is isolated to Waialua, HDOA
8 wants to collect information and determine the extent of the infestation on Oahu before
9 establishing a quarantine. That would result in a more effective quarantine. It is important to
10 better understand the full situation.
11

12 Jim Wayman, president of the Hawaii Coffee Association testified. He said it was appropriate to
13 be up front with an industry appropriation. Their organization supports 700 small famers. Last
14 night they polled the growers by phone to determine what they think about the quarantine on
15 Hawaii island. He wanted to share the industry perspective. Mr. Wayman said that he is
16 spending about \$20,000 a year to fumigate green coffee to ship to Oahu. He said that, with the
17 presence of CBB on Oahu, he knows some Big Island coffee farmers say they should drop the
18 Hawaii Island quarantine and that could open the market for green coffee to home roasters. He
19 said that he did not agree with that approach. He said that Oahu has one major coffee farm and
20 others that are spread out, but in Kona, there is a contiguous coffee growing area. Oahu may
21 have had CBB for a year or more but it hasn't spread. CBB would be likely to spread without
22 the Hawaii island quarantine.
23

24 Mr. Wayman said that Kimo Faulkner from Maui pointed out that once we open that port, the
25 port facility could get infested from hitchhiker CBB. There would be nothing that would stop the
26 further spread of CBB to other areas. The Hawaii Coffee Association's suggestion is there
27 should be a quarantine on Oahu and the Hawaii Island quarantine should stay in place, but the
28 industry should continue to fight this problem. He said that the good news is that last year, CBB
29 infestation levels on Hawaii Island dropped to 28% from 38% the year before. This year, the
30 Integrated Pest Management (IPM) efforts have resulted in 14% infestation. Even though the
31 Oahu situation is unfortunate, it appears this infestation is on one farm and can be controlled at
32 this point. He said that he thinks the quarantine measures on Hawaii island - the recommended
33 treatments of fumigation and freezing, double-bagging, etc. - have worked.
34

35 Wayne Katayama of Kauai Coffee Company and Chair of the CBB task force that was formed 2
36 years ago testified. He confirmed the good progress made on lower CBB levels on Hawaii
37 Island. He quoted the old saying that an ounce of prevention is worth a pound of cure and said
38 it is more like a pound of prevention in this situation. All the mechanized coffee farms are
39 outside of the Big Island. He said that, in addition to the quarantine, one part of the quarantine
40 that was not addressed correctly is coffee by-products, things like pulp that are being shipped
41 interisland. Mr. Katayama stated there should be a treatment protocol for those items. He also
42 said that it was important to educate the public that visits coffee farms and the public that grows
43 ornamental coffee to help prevent further harboring and spread of CBB. Because you can't see
44 CBB infestation visually, there will be a reservoir for CBB if the public is not educated about how
45 CBB spreads.
46

47 Dr. Reimer stated the reason there is no Board submittal as the discovery of CBB on Oahu is so
48 recent and the priority has been to collect more data.
49

1 Board member Aila stated that Makaha valley has significant acreage of wild coffee to be aware
2 of.

3
4 Dr. Reimer said that the Department is aware there are many feral populations of coffee and
5 that he had heard that Maunawili also has about 10,000 trees. Staff is inspecting to make sure
6 the CBB has not spread to those feral coffee tree populations which would make this issue more
7 difficult to control.

8
9 Board member Ornellas asked Mr. Katayama whether he thought the quarantine on Oahu
10 should be immediate.

11
12 Mr. Katayama said the quarantine should take place now to give the sense of urgency. He said
13 that the metrics are different in Kona than on Kauai, as all coffee fields in Kona are hand
14 harvested. Kauai has 300 acres that are mechanically harvested and on Maui, it is the same
15 thing with Kimo Faulkner. If CBB reached Kauai and Maui, the economic impact is quite severe.
16 Mr. Katayama said that Oahu is the crossroads and that, to contain and prevent CBB spread,
17 we can't have an "everybody else but me" attitude.

18
19 Board member Evans asked Chairperson Enright if the Department if has the ability to initiate
20 an emergency rule that can be put in place while information gathering is taking place.

21
22 Ms. Haunani Burns, Deputy Attorney General, stated that the original Kona quarantine was
23 done under an interim rule based on an emergency finding and the circumstances there were
24 able to warrant that. In Kona, CBB was clearly an extensive problem that had become very
25 damaging. For the permanent rule that replaced the interim rule when it expired, the point was
26 made that the quarantine zone could be expanded if the infestation spread.

27
28 Dr. Reimer stated the Department does have the ability to adopt an interim rule. Under the
29 current rules, the Department can designate Oahu as an infested area and designate a
30 quarantined area. In order to do that, we need some background information which is what
31 HDOA is currently trying to gather.

32
33 Ms. Burns stated that if this insect spreads to a new area quickly, under the current rules,
34 there's an expedited process in which there would need to be a Board meeting, expert input,
35 and Board action. The fastest way is to set up quarantine is through the provisions in Chapter
36 4-72 Hawaii Administrative Rules (HAR), section 4-72-12.

37
38 Board member Evans stated it appears the rules were very foresighted so that satisfies her
39 question completely.

40
41 Chairperson Enright stated that with the affected Waialua grower self-imposing restriction on
42 shipping, in essence we have quarantine. That is why we are able to defer for one more month.
43 He then asked if that worked for Mr. Katayama.

44
45 Mr. Katayama said that self-imposed quarantine really does not fully satisfy the issue.
46 Ultimately, the only advantage of the Big Island is that there is more input than output. Oahu is
47 the crossroads of everything, and as Mr. Wayman alluded to, visitors to the coffee farms could
48 also serve as vectors spreading this agricultural pest. Mr. Katayama used the example of Kona,
49 which was designated as a CBB infested area. He said that the coffee growing area of Ka'u
50 initially did not have CBB and did not need to be designated as an infested area but they ended

1 up getting CBB. For prevention, it is for the casual person that we want to raise awareness of
2 the CBB risk to Hawaii's coffee industry. Also, transferring things in and out of the islands is a
3 risk, if someone is picking up a coffee bag to send to the mainland, who would be doing the
4 inspection there? He said that quarantine is not as much for industry awareness, but consumer
5 awareness and a quarantine sends a message, that there is an issue. We have limited
6 resources here, so we want to do what we can to create the greatest amount of exposure. If we
7 can slow or stop the spread, that would be the most efficient use of resources.

8
9 Board member Galimba asked if Waialua coffee mill was receiving green coffee from Hawaii
10 Island.

11
12 Dr. Neil Reimer stated that is correct, that indeed green coffee from Hawaii Island was moving
13 to the Waialua coffee mill

14
15 Board member Ornellas says he is in favor of immediate action because so much is at stake,
16 given the size of coffee operations on Kauai and potentially designating Oahu as an infested
17 island.

18
19 At 10:36 Chairperson Enright called for recess to consult with staff.

20
21 At 10:54 am Chairperson Enright called the meeting back to order.

22
23 Dr. Neil Reimer distributed to the Board members a map showing the CBB infested area on
24 Oahu, as determined by HDOA PPC surveys. He then read aloud from section 4-72-4.5, HAR,
25 the protocol for designating an expanded infested area for the purpose of establishing a
26 quarantine, including public notification. The Board's designation will be effective the day after
27 the Board action. Dr. Reimer requested designation of Waialua Coffee farm and Waialua coffee
28 Mill as expanded CBB infested areas based on the provided map, so quarantine can be
29 implemented. He said that the HDOA feels confident from its surveys that Waialua farms are
30 infested throughout their operation. Based on the discussion earlier from industry and the
31 Board, Dr. Reimer recommends designation of an infestation area in the before-mentioned
32 areas in accordance with the rules to designate an infested area.

33
34 Motion: Ornellas/ Evans

35
36 Board member Aila asked if the quarantine area would include the coffee mill.

37
38 Dr. Reimer confirmed that the mill would also be included.

39
40 Vote: Approved 6/0

41
42 Board member Galimba asked if HDOA will continue to monitor the situation

43
44 Dr. Reimer said that HDOA will be continuing surveys on Oahu and will work on tracing how
45 CBB got to Oahu and to prevent it from spreading to other islands. HDOA will be working with
46 industry on the other islands to do surveys on their operations and train staff on recognizing
47 symptoms, etc.

48
49 VI. NEW BUSINESS

50

1 None.

2

3 VII. ADJOURNMENT OF REGULAR MEETING

4

5 Call for Adjournment

6

7 Motion to approve: Ornellas/Galimba

8 Vote: approved: 6/0

9

10 Motion to Adjourn: Galimba/Ha

11

12 Meeting adjourned at 11:05 am


13

14 Respectfully submitted,

15

16

17

18 *for*  Michael L. Opgenorth

19 Board Secretary