

Draft Minutes of the Advisory Committee on Plants and Animals
November 13, 2020 Meeting
Hawaii Department of Agriculture (HDOA)

I. CALL TO ORDER

The meeting of the Advisory Committee on Plants and Animals was called to order by Advisory Committee Chairperson Dr. Kevin Hoffman on Friday, November 13, 2020 at 1:59 p.m. via Zoom meeting.

Members Present:

Dr. Kevin M. Hoffman, Committee Chairperson, Hawaii Department of Agriculture (HDOA)
Kenneth Matsui, Petland/Pets Pacifica
Dr. Maria Haws, Director, Pacific Aquaculture & Coastal Research Center, University of Hawaii at Hilo
Robert Hauff, Forest Health Coordinator, Division of Forestry & Wildlife, Department of Land & Natural Resources (DLNR)
Myra Ching-Lee, Epidemiologist Specialist, Disease Outbreak Control Division, Department of Health

Members Absent:

Dr. Benton Pang, Invasive Species Team Manager, U.S. Fish & Wildlife Service
Ken Redman, Retired Director, Honolulu Zoo

Others Attending:

Jodi Yi, Deputy Attorney General (DAG)
Jonathan Ho, Acting Manager, Plant Quarantine Branch (PQB), HDOA
Trenton Yasui, Acting Inspection & Compliance Chief, PQB, HDOA
Noni Putnam, Land Vertebrate Specialist, PQB, HDOA
Wil Leon Guerrero, Microorganism Specialist, PQB, HDOA
Lance Sakaino, Plant Specialist, PQB, HDOA
Karen Hiroshige, Secretary, PQB, HDOA
Stephen Dalton, IT Specialist, HDOA
Chris Manfredi, President, Hawaii Coffee Association
James 'Kimo' Falconer, President, Hawaii Coffee Growers Association
Lise Madson, Private Individual
Dre Goode, Visual Sciences and Memory Lab, Department of Psychology, New Mexico State University, Las Cruces, New Mexico

II. INTRODUCTION AND COMMENTS

Chairperson Kevin Hoffman and the Advisory Committee members introduced themselves.

III. APPROVAL OF MINUTES FROM THE NOVEMBER 15, 2019 MEETING

Chairperson Hoffman asked the Committee to review the minutes for the November 15, 2019 meeting before entertaining a motion to approve them.

Chairperson Hoffman inquired regarding the need for discussion.

Dr. Haws stated on page 14, Mr. Ho's statement, "to address the conservativeness" of the project areas. She wasn't sure what that meant. Committee Chairperson Dr. Hoffman asked DAG Jodi Yi if it's possible to approve the minutes today with the caveat that we check the audio recording for clarification of exactly what word was used. She said, "Yes, we could do that. If it needs to be amended, that can be done at a later meeting."

With no further questions or comments Committee Chairperson Dr. Hoffman made a motion to approve the minutes and listen to the audio recording of the November 15 meeting to clarify what word was used on page 14 where it says, "Mr. Ho said to address the conservativeness of the proposed sites." The motion was seconded by Advisory Committee member Robert Hauff and was passed unanimously.

Vote: APPROVED 5/0.

IV. COMMENTS FROM GENERAL PUBLIC ON AGENDA ITEMS (ORAL OR WRITTEN)

Written testimony was received and distributed to the committee members. Oral testimony will be heard after the requests have been presented.

V. REQUESTS TO BE REVIEWED BY THE ADVISORY COMMITTEE

Interim Rule

(1) A Finding that the Unrestricted Movement of Coffee Plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. Including Hybrids and Varietals) and Plant Parts Such as Unroasted Beans, Fruits, Leaves, Stems, Twigs, Cuttings, Wood, Logs, and Mulch or Greenwaste, Used Coffee-Related Packing Materials Such as Coffee Bags, and Any Equipment Used to Harvest, Transport, or Process Coffee Plants or Plant Parts, All of Which are Potential Carriers of the Fungus, Coffee Leaf Rust, *Hemileia vastatrix*, From the Island of Maui, Hawaii Island, or Any Other Island Confirmed with Coffee Leaf Rust, Constitutes an Emergency Justifying an Interim Rule; and

(2) A Finding that the Adoption of an Interim Rule to Restrict the Movement of Coffee Plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. Including Hybrids and Varietals) and Plant Parts Such as Unroasted Beans, Fruits, Leaves, Stems, Twigs, Cuttings, Wood, Logs, and Mulch or Greenwaste, Used Coffee-Related Packing Materials Such as Coffee Bags, and Any Equipment Used to Harvest, Transport or Process Coffee Plants or Plant Parts, All of Which are Potential Carriers of the Fungus, Coffee Leaf Rust, *Hemileia vastatrix*, to Prevent its Spread From the Island of Maui, Hawaii Island, or Any Other Island Confirmed with Coffee Leaf Rust.

PQB Microorganism Specialist Wilfred Leon Guerrero provided a synopsis of the request. Mr. Leon Guerrero noted that Dr. Stephen Montgomery had recommended approval. After completion of the summary, Acting PQB Manager, Jonathan Ho noted that subcommittee member J.B. Friday had recommended approval.

Mr. Ho said that the interim rule that was initially provided to the Committee was subsequently modified to address concerns from testimony and in conjunction with meeting with industry. He said that the initial interim rule had only four specific exemptions, but that the new interim rule had six. He highlighted the clarifications for roasting and transshipping. He also explained that there were new exemptions included for plants from certified nurseries for export, movement of CLR carriers between infested areas, and plants from an infested area to a non-infested area, subject to a one-year quarantine, that were added due to testimony.

Committee member Mr. Kenneth Matsui asked about how the permit conditions would be implemented as a normal request for the Committee also includes permit conditions, with emphasis on green beans for roasting from an infested area to a non-infested area. Mr. Ho stated that there are mitigation measures that will be placed in the permit conditions for both the shipper and receiver. He noted that the requirements

would be similar to those involving coffee berry borer and that inspections would not occur at farms, but at freight-forwarders or other transportation companies. Mr. Ho also said that issuance of permits for the roasters would be straightforward as most are already inspected by PQB already. Committee Chairperson Dr. Kevin Hoffman said that the request is for the adoption of an interim rule, not for establishment of permit conditions, which would be done by the PQB prior to the implementation of the interim rule. Dr. Hoffman said that because the conditions are approved by the PQB, there is flexibility to revise the conditions as needed.

Committee member Dr. Maria Haws noted that on page 4 of the submittal, the word “rouge” should be “rogue.”

Mr. Matsui asked if the movement of importation of rust resistant varieties would affect the flavor profile or marketing of Hawaiian coffee, particularly Kona coffee. Dr. Hoffman said that the industry is aware of this issue and is actively working on it.

Committee member Mr. Robert Hauff asked if PQB could automatically include any other island that was found to be infected with CLR. Mr. Ho responded that the title for this request was drafted to be able to sufficiently notice the possibility of including another area besides Maui or Hawaii Island. Mr. Ho said that once the interim rule is in effect, an expansion of the quarantine areas is specified by rule and, therefore, would have to go before the Board.

Committee Chairperson Dr. Hoffman then asked for public testimony.

Mr. Chris Manfredi, Hawaii Coffee Association President, said that they were standing on their testimony. Mr. Manfredi said that he was confident that issues with the permit conditions could be addressed as they arise, and that the association was generally supportive of the interim rule. Dr. Hoffman noted that the Committee was provided with the testimony on Thursday, November 12, and that the interim rule was amended to address concerns that were raised.

Mr. Matsui asked if the container size issue was addressed. Mr. Ho clarified that the intent was to ensure that the shipments were safeguarded and not to require using only sealed shipping containers. Mr. Ho recognized that the use of only sealed shipping containers for 1-2 bag shipments would be unreasonable and the idea was to decontaminate, seal, and then immediately ship. Mr. Manfredi asked if the container requirement was in the interim rule. Mr. Ho said that the rule was only restricting the movement of the specific commodities, but the specifics of what needed to be done would be set forth in the permit conditions. Mr. Manfredi asked if the rule was quarantining an entire geographic island. Mr. Ho confirmed.

Mr. Matsui asked Mr. Manfredi about the possible use of ultraviolet light (UV) as a treatment. He said that UV has very specific technical specifications to be deemed effective. Mr. Manfredi said that there is some research and that he would provide it.

Mr. James 'Kimo' Falconer, Hawaii Coffee Growers Association President, said that they were standing on their testimony and the questions he had were already answered in the discussion.

There was no other discussion.

Mr. Matsui made a motion that the Committee find that the unrestricted movement of coffee plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. including hybrids and varieties) and plant parts such as unroasted beans, fruits, leaves, stems, twigs, cuttings, wood, logs, and mulch or greenwaste, used coffee-related packing materials such as coffee bags, and any previously used equipment designed to harvest, transport, or process coffee plants or plant parts, from the Island of Maui or Hawaii Island, constitutes an emergency justifying an interim rule. Committee member Mr. Hauff seconded.

Vote: 5/0 for a finding that there is an emergency justifying an interim rule.

Mr. Matsui made a motion that the Board adopt an interim rule, with the amendments provided by the PQB to restrict the movement of coffee plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. including hybrids and varieties) and plant parts such as unroasted beans, fruits, leaves, stems, twigs, cuttings, wood, logs, and mulch or greenwaste, used coffee-related packing materials such as coffee bags, and any previously used equipment designed to harvest, transport, or process coffee plants or plant parts, from the Island of Maui or Hawaii Island, to prevent the spread of CLR. Committee member Mr. Hauff seconded.

Vote: 5/0 to recommend adoption of an interim rule.

Land Vertebrate

Request to: (1) Allow the Importation of one Vasa Parrot, *Coracopsis vasa*, an Animal on the List of Restricted Animals (Part B), by Permit, for Research, by Lise Madson; (2) Establish Permit Conditions for the Importation of one Vasa Parrot, *Coracopsis vasa*, an Animal on the List of Restricted Animals (Part B), for Research, by Lise Madson.

PQB Land Vertebrate Specialist, Ms. Noni Putnam, provided a synopsis of the request. The applicant, Ms. Lise Madson, participated in the meeting via virtual videoconference.

Land Vertebrate Specialist Noni Putnam provided a synopsis of the request, recommendations and noted that Advisory Subcommittee member Dr. McKinnie intended to submit a recommendation, but due to unforeseen circumstances was not able to submit a recommendation.

Committee Chair Dr. Kevin Hoffman stated that this request is for research purposes, and Specialist Putnam confirmed. He asked if this proposal for research was submitted by the University of Hawaii, would this require this animal to be in a quarantine facility. Specialist Putnam responded by saying that any import of a restricted animal requires a site inspection and abide by the conditions prior to the permit being issued.

Mr. Ken Matsui stated that the University of Hawaii is an exception because they have its own biosafety committee which resolves these issues beforehand. Committee Member Mr. Rob Hauff asked if the HDOA's rules have a definition of "research"? Specialist Putnam's is not aware of any HDOA definition and would like to defer the question. Acting PQB Manager Jonathan Ho stated that there are no rules in 4-71 that specifically states that research is "this."

Mr. Ho said in regard to Chair Hoffman's comment regarding a facility, generally speaking, research is not done in an individual's home. The Board can define a specific area as they see fit.

Committee Member Dr. Maria Haws inquired whether this research being executed would be done in a humanely fashion, is the research valid and how would this be verified? Mr. Ho stated that if you refer to the intent of the Rule, research is to come to some type of discovery with regards to a hypothesis or theory, Ms. Madson's TTouch research appears to meet the requirements for potential importation, and that the Committee or the Board would have to determine if it meets the intent of the Rule. It was noted that Animals on the Restricted B list are not allowed as pets, although they were at one time in the late '1990s. That has been removed. Subcommittee members Dr. Duvall and Dr. Conant stated the possibility of setting a precedence, but the Board will ultimately decide approval or disapproval.

Acting Inspection and Compliance Chief Trenton Yasui stated that the PQB has historically defined "research" as scientific research; the utilization of that scientific method is research that is published in a peer-reviewed journal.

Mr. Hauff asked, why wasn't the original permit application for research and why have there been multiple applications for different justifications for import. The question was deferred to the applicant. No further questions for the PQB staff.

Chair Hoffman called Ms. Madson forward to testify.

Ms. Lise Madson introduced herself. She has a Juris Doctorate in Environmental Law and resident of Mountain View, Kona, Hawaii. She thanks the Committee for the opportunity to propose her project and introduce her team. She states that before submitting the multiple applications, she consulted with former Land Vertebrate Specialist David Lingenfelter informing him that her research does tie in with TTouch and ESA Regulation. She said Mr. Lingenfelter recommended that the quickest way to obtain a permit for this species of bird was to reclassify this type of bird from the Restricted B list to the Conditionally Approved List and the basis of the application was because the Vasa Parrot, when it was put on the Restricted B list was not well known, approximately 1988. Ms. Madson said that since then, it's been discovered that Vasa Parrot traits are very similar to an African Grey; however, it is almost impossible to breed, which is very interesting from a scientific perspective.

Ms. Madson said as an environmental lawyer, she 100% supports avoiding any type of invasive species entering the islands and this parrot presents less of a risk than the common cockatiel due to the reproduction difficulties in captivity. She initially believed the ESA would be approved promptly if the bird was permitted as an ESA. She then introduced Dre Goode with the Visual Sciences and Memory Lab, Department of Psychology, New Mexico State University, who designs scientific processes. She makes mention of Michael Hout, who was available but no longer due to the time on the East Coast. Other participants are: Dr. Timothy Wright, New Mexico State University and Dr. Pailian, Department of Psychology, Harvard University. Ms. Madson states, "This is a valid study."

Ms. Madson said with regard to TTouch, Linda Tellington-Jones, Kona, Hawaii resident, has developed a gentle system of touch that stimulates the equivalent of oxytocin in parrots and has utilized TTouch in Alzheimer's studies funded by the State of Ohio. Ms. Madson states that she has worked with her for 40 years, published 22 books in 12-15 languages. The researcher from Harvard who did a peer review that was published and was in the New York Times; a study about an African Grey named Griffen, which was preceded by an African Grey named Alex. It follows the same lines of study such as coco who learned sign language. The Alex Foundation is interested in having some of the studies repeated with the Vasa Parrot because the Vasa Parrot utilizes tools, as well as the ability to learn language.

Ms. Madson mentions that one of the first techniques they'll be using is the bird's capability of determining same versus different. Griffen out-performed Harvard undergrads with regard to memory tasks. She says that she's had a lifetime experience

with working with animals; that she's 56 years old; that this is her legacy and willing to pour her heart and soul into. Writing is one of the things she can still do. She has researchers with Covid that are able to look at the videos of her interaction and training of the bird and make evaluations from various locations.

Why Hawaii? Ms. Madson states, "Because I am a resident and live in Hawaii." She sold her ranch in Oregon. She asks, why would she have to leave Hawaii to volunteer her time at no cost to anyone to help further this research. Because of Covid, Irene Pepperberg of Harvard is training parrots at her home; therefore, working with parrots in a home is an acceptable scientific way of doing research in combination with Zoom and video recordings.

Ms. Madson addresses the inference that this is somehow "getting around the denial of the ESA." She states that the ESA was denied, but that doesn't invalidate the research. If the ESA permit had been granted, she would still have done the research, maybe a bit sooner. The Committee heard that request earlier, although it was done in the same month; almost two years ago. Ms. Madson then addressed the Committee if they had any questions for herself or Dre Goode.

Dr. Haws expressed her feelings regarding Ms. Madson's separation from the parrot and concerns regarding setting a precedent to future loopholes in the law. She asked Ms. Madson if this would be the last request, she would make importing a parrot into Hawaii, to which Ms. Madson replied, "Yes."

Ms. Madson stated that initially the concern was that this would result in many Vasa Parrots. In the 10 years that she's been involved, she's seen only one for sale. She is not aware of any active breeders in the U.S., and when they were originally imported around 1980, they brought several hundred birds from Madagascar. With active attempts to breed 200 of them, the result was 30 parrots. Additionally, the University of Chicago did a longitudinal study of parrots that escaped on the mainland. There was no escape by a Vasa Parrot. Salt Lake City Zoo also tried to breed them and was unsuccessful. She also mentions that when wild-caught birds are fed a commercial diet, will nearly starve themselves to death.

Ms. Madson states that the permit conditions that she's suggested are similar to those that she saw when she worked at CSU's Veterinary Teaching Hospital raptor rehabilitation project in the 1980s. That type of facility or residence requires two doors. She states that her residence has locked doors, locked external gates, two video surveillance systems. She would use the same procedures with the biosecurity knowledge that was acquired at CSU Veterinary Teaching Hospital and volunteering at the Denver Zoo.

Ms. Madson reiterated working with TTouch and Linda Tellington-Jones for 40 years and a lifetime of cognitive research with parrots and raptors wanting to participate

in her retirement years to participate in a research project that could result in a legacy as famous as Alex or Coco and contribute to the scientific knowledge of a parrot that gives her access to a rare opportunity that combines both tool usage and the ability to speak.

Mr. Rob Hauff asked Ms. Madson if she has authored any peer-reviewed publications on parrots or animal cognition. Ms. Madson has not but some of her team members have. She states that she is the handler, whereas Mr. Dre Goode is the specialist, who structures the study. She said the scientists in those areas would review video recordings or Zoom interactions with herself and the parrot and it is likely that they would be the lead on the peer review and Ms. Madson would be the volunteer handler.

Chair Hoffman calls forward Dre Goode.

Mr. Dre Goode introduces himself as being with the Visual Sciences and Memory Lab at New Mexico State University. He states that his area is towards cognitive science, visual science. His interest is in working memory. Team member Timothy Wright does a lot of work with song birds and has some interest in expanding outward a little bit. He said it seems like a great area to combine our interest and take a deeper dive into scientific exploration of a new species neighboring what we have done with African greys.

Chair Hoffman asked Mr. Goode if he is published in some fields, not necessarily this one, to which he answered, "Yes, a lot more cognitive psychology. But the working memory aspect of that does tend to bleed over into avian intelligence a lot." Chair Hoffman asked if it is a fair appraisal to say that he is guiding Ms. Madson on how to conduct the research. Mr. Goode states that he and Dr. Hout would be the ones with the hands-on design with some influence from Dr. Wright and Dr. Pailan; a group effort coming together to: a) have this ability to do this research on a volunteer basis free of charge. Chair Hoffman asked Mr. Goode if he foresees this resulting in a publication and is the scientific research rigorous enough to be published. Mr. Goode replied that this research will give opportunity for this to expand and said what we are really hoping to see is some evolutionary trends in the way that cognition develops and looking at a new species gives a lot of opportunity for that. He referred to some work demonstrating some type of cognitive advantages through tool uses.

Chair Hoffman asked the Committee members if they have any further questions.

Dr. Haws asked Mr. Goode, "Who would be the holder of the Institutional Animal Care and Use Committee (IACUC) protocol conducting this research, and are you intending to include other Vasa Parrots, not necessarily in Hawaii but maybe somewhere else if this pans out?" Mr. Goode's answer was that he thinks the Institutional Review Board (IRB) holder might be Timothy Wright or Dr. Hout depending

on the structure. He said if it needs to cover animal rights in research, Dr. Wright would be the primary, but if it's on the cognitive end, Dr. Hout would be the primary.

Mr. Goode did clarify that he couldn't give a solid answer on using more Vasa Parrots because that's too far down the road at this point. Dr. Haws asked how old this Vasa Parrot is and Ms. Madson answered that he is 10 years old. Dr. Haws believes that if you have an IRB or IACUC protocol, it might be helpful to provide that or Federal funding to show it's been reviewed by peers and it's legitimately being run through a university, and would also establish the validity of the research. Ms. Madson confirmed that there's no funding. She explained that the TTouch research has been going on for 40+ years. It's gone through the Ohio State Department of Health, but not through a university. Much of the research has been generated through individuals like her and not through a formal university protocol, and Ms. Madson is not sure that's required.

Ms. Madson stated that as a condition of the permit, she would be willing to give progressive research updates. This project research started with TTouch, however, almost six years ago, and she has some prepublication that has been on hold for the last two years. She states without an approval she'll likely lose the project. Dr. Haws suggested that maybe some of the researchers could provide some this because approving this hinges on agreeing to the validity of the research for justifying the importation under the research clause, and also setting a certain bar so hundreds of people don't propose pseudo-research and bring their pets in.

On a side, Ms. Madson stated that the denial of the ESA is basically equating the ESA as a pet. By definition, ESA and federal law by definition is not a pet, it's more of a medical device. If an animal did come in as an ESA, an ESA is only for private use in the home. She noted that Mr. Goode did file some information that it wasn't clear from the comments and recommendations from the other people they had read. If you saw the preliminary summary and individuals involved, the people who voted against approving the permit, might re-think it because if you have a project where at the encouragement of the Alex Foundation and Irene Pepperberg, you're repeating the Alex studies, very well-known studies, that have contributed a great deal to cognition. And Dr. Pepperberg has reached out to people with other types of parrots to try to get them to repeat this research to validate the research, she thinks there would be less distress. To be frank, putting so much work into the TTouch research and to have a wrench put into that research because of the ESA application, she would not have done the ESA application and just proceeded with the research one. But speaking with David Lingenfelter from HDOA, she had the impression that the application was \$25.00, that there was no reason to put it under alternate theories to see which one would get approved most quickly.

Ms. Madson addressed another comment about going back to the mainland to do the research if it's so important by saying that being a Hawaii resident, she was traveling back and forth prior to Covid, which was expensive. Ms. Madson reiterated

that the parrot is low-risk and almost impossible to breed, very uncommon, and every scientist she's discussed it with feels that this is less of an environmental threat than the common cockatiel. She states that if someone wants to get around the ESA, they could take it head-on with litigation over the interpretation that the HDOA has on what is an ESA and whether it should be permitted. She doesn't think they will develop teams who are uniquely interested in a particular Vasa Parrot to get around it. They're not going to buy into it if they're not interested in the actual research.

Ms. Putnam noted that the PQB received the application on June 17, 2019; however, the proposal documents and attached cover letter weren't received until July 18, 2020. She said once all documents were received by Ms. Madson, she compiled and forwarded them for further review. Chair Hoffman asked Ms. Putnam if the PQB has been able to inspect the proposed site where the parrot is to be kept. Ms. Putnam answered, "No" and although that is the normal procedure, due to COVID, there's been no site inspection. She said that despite the circumstances, in the event the permit was approved and issued, a site inspection would be conducted to confirm the site was secure.

Ms. Madson addressed Chair Hoffman to inform him that she did provide site descriptions, as well as information regarding the security system. Dr. Hoffman confirmed receipt, and then asked the Committee members if they have any other questions.

With no responses from the Committee members, Chair Hoffman asked members of the public if they have any comments regarding this submittal. There were no comments from the public.

Ms. Madson then addressed Dr. Haws, letting her know that earlier she had spoken with the University of Hawaii (UH) Hilo Biology Department regarding any concerns they had having this Vasa Parrot on the island. She said there was some interest in endemic bird research because it does present some interesting adaptations that biology students aren't able to observe in other birds. Ms. Madson said due to the restrictions with COVID, the animal would have to remain in one facility and approved, so it wouldn't be possible to take the bird to the university, but it's possible to bring the students to her home once the COVID restrictions are in place or view on Zoom. But this would be a side as giving back to the community as opposed to the direct research. The university was interested in the opportunity of having this bird available. Dr. Haws asked Ms. Madson who she spoke to at UH Hilo. Ms. Madson replied, "Again, I refer to my head injury. You know the guy who's in charge of the endemic bird research there." Ms. Putnam responded, "Is that Patrick Hart?" Ms. Madson confirmed it is Patrick Hart.

Dr. Haws says that Ms. Madson's research proposal was more convincing than a lot of other UH proposals she receives. Her concerns are to establish conditions that do not create loopholes. Ms. Madson states that she's willing to cooperate, and that she

understands that there are many invasive “everything” in Hawaii. She believes there should be more restrictions on cats, love birds, and cockatiels.

A discussion was held between Ms. Putnam and Ms. Madson regarding UH Hilo and biology students. Ms. Putnam asked Ms. Madson if she would be continuing her with UH Hilo. Ms. Madson stated she will not be incorporating the students at the UH Hilo with her current research and was trying to offer an opportunity to the students to see an unusual bird that is evolutionarily unique, noting some specific physical characteristics.

Ms. Putnam referred to testimony received from the Division of Forestry & Wildlife, DLNR, that was forwarded to the Committee members. Chair Hoffman confirmed receipt.

Chair Hoffman asked Ms. Madson that should the Committee recommend approval and then go before the Board, would she be able to produce the documentation that Dr. Haws mentioned regarding this being a research project.

Ms. Madson responded by saying “Yes” that she believes Mr. Goode was able to address that will be able to get a handle on that and if there is anything specific, it can be included as a condition of the permit to address the concerns.

Chair Hoffman asked Ms. Putnam if she’s aware of any research permits where the research subjects are housed in a private residence. Ms. Madson responded by saying that Irene Pepperberg does house Griffen and other African Greys for research in her home as part of the Harvard study. Ms. Putnam responded that she’s unaware of any research projects that the subject is housed at a residential home. Ms. Madson states that her home is zoned Ag and asks to expand the question to research done in a place zoned Ag with a home. Mr. Ho stated that he’s unaware of any particular research project in a private residential home. Mr. Yasui said he is also unaware of any such situation in a private home.

Mr. Yasui wanted to address Dr. Haws’s question with regard to precedence setting by stating that Permit Condition No. 2 on page 13 says, “All subsequent requests to import Vasa Parrot shall be approved by the Board on a case-by-case basis.”

Ms. Madson says that through Zillo listings, there’s an individual up the street from her in Aloha Estates, Mountain View, who has a tilapia permit at their residence in Aloha Estates, which are also restricted but this probably goes back to the Ag zoning. Mr. Yasui responded that HAR Chapter 71 allows Restricted B organisms for aquaculture production at residences. Mr. Ho stated that the discussion regarding a private residence or not is a tangent and believes that Dr. Haws meant that by definition, specific types of animals that fall on the List of Restricted Animals Part B are eligible for importation; i.e., aquaculture in a facility approved by the Branch can be

done for a restricted animal. Likewise for Vasa Parrot, if the facility is approved and for bonified research, is this potential request a work-around of the rules and could a person bring in their pet zebra for research or any other animal on the restricted list Part B. Mr. Ho said the PQB has been working with Ms. Madson to get the protocols, procedures and other information to make the determination that this is clearly bonified research. He said regardless of the Committee's decision to approve or disapprove, the Board will ultimately make that determination. Mr. Ho said that as Dr. Haws mentioned, if the bonified research checkmarks are there, it would give the Board reassurance that this isn't precedent setting, is legitimate research and clearly show the request meets the definition and intent of the HAR.

Dr. Haws suggested that maybe one of the researchers should have their name on the permit, as well, or they provided their IACUC or IRB protocol. She mentions that Mr. Goode brought up the fact that this is human subject and animal subject research, so if one of the collaborators put their name on it, then they have approval to do this research, then clearly this would be legitimized research. She feels the proposal was well-written, but none of the collaborators put their university affiliation on that document. Ms. Madson responds by saying that after speaking with David Lingenfelter, she wasn't sure if they needed to be a Hawaii resident and was making sure all the protocols regarding security were followed. She appreciates the suggestion, and believes it is possible. Ms. Madson asked Ms. Putnam if the application were to be amended with such information, would it delay the process. She also said that the mainland researchers mainly design the research, she is in charge of implementing the research and the researchers take the raw data and process it. Ms. Putnam said she will follow-up with the request.

Mr. Ho said he did not believe amending the application will change who the permittee is and their responsibilities as the permittee. Ms. Madson states that the affiliations were listed on the cover letter but not on the proposal itself. Dr. Haws suggested to Ms. Madson to ask them if they're doing it through the university or on the side as private citizens.

As they were no other questions by the panelists or the attending public, Chair Hoffman asked if the Committee members were ready to make a motion. Mr. Hauff, as DLNR representative, said he stands by the testimony that was submitted by DLNR. The information Dr. Haws has requested could potentially change that decision, but currently he is recommending that Board not to approve this request.

Discussion was held between Chair Hoffman, Deputy Attorney General (DAG) Jodi Yi and Ms. Madson regarding motions to the Board. DAG Yi clarified that there were two requests, first, to allow importation, and the second, to establish permit conditions. Mr. Hauff suggested a third alternative is a motion to recommend denial to the Board. Ms. Madson asked for discussion.

Ms. Madson asked Mr. Hauff if there was more scientific evidence, she needs to provide to address the concerns of the DLNR. Mr. Hauff stated the main concern is that this organism falls on the injurious wildlife list that DLNR regulates once it is brought into the State, the entire family is on the list, many members have been released into the environment and caused problems. He said there is a concern and desire not to bring any more organisms that are on this list into the State and there also was concern about the legitimacy of the research and those concerns remain. Ms. Madson asked for recommendations to address the concerns and that we should follow the scientific evidence, such as another researcher using Vasa Parrots. Ms. Madson said she has no evidence that Vasa parrots are invasive and asked if there was any other scientific evidence that could be provided to DLNR to help resolve the concerns.

Committee member Ken Matsui stated that the Committee tends to make decision on requests based on what has happened with other similar species, highlighting the effects that some parrots have had on food production, and also commenting on current food instability issues. Ms. Madson said that she understood the risk of potentially opening the floodgate to import all vasa parrots, but that this individual parrot poses no risk. Mr. Matsui said that there could be additional restrictions such as limiting import to males only or surgical sterilization. Ms. Madson described the differences between the sexes and reiterated the difficulties in breeding/raising them particularly when hand-raised.

Further discussion was then held between Chair Hoffman, DAG Yi, Mr. Hauff, and Mr. Ho regarding how to phrase the motion to move the request to the Board including rescheduling the meeting or move the request to the Board without a recommendation.

After the discussion, Mr. Hauff made a motion to recommend that the Board disapprove this request to allow the importation of one Vasa Parrot. Dr. Haws seconded the motion. Chair Hoffman put the motion to a vote.

Vote: DISAPPROVAL 4/1

Motion does not carry.

Discussion held regarding how to move a new motion to the Board. Mr. Ho stated the recommendation would be to move this submittal to the Board, without a recommendation from the Advisory Committee on Plants and Animals and provide language setting criteria for the applicant to provide. Mr. Hauff asked if the failed motion would be given to the Board for consideration. Mr. Ho said that Committee's discussion will be summarized and provided in the submittal to the Board. Chair Hoffman asked if new information could be included in the Board submittal. Mr. Ho said that the

Committee could state in their motion some of the documents that are requested prior to going before the Board.

Ms. Madson addressed the Committee stating that she'll provide the documents requested whether it's required or not.

Dr. Haws made a motion to recommend that this request be moved to the Board with no recommendation, but to have the applicant include documentation and evidence of valid research requested during the discussions by the Committee. Mr. Matsui asked if the permit conditions could be amended to require males only because a subsequent request could allow for the import of a female and then possibly reproduction. Mr. Ho said that it could be done, but because Dr. Haws had already made a motion, she would have to agree to amend her motion to include the permit condition change. Mr. Ho said that the conditions already include a condition that requires all subsequent requests for this species to go before the Board. Dr. Haws said that she would like to have her motion remain as stated. Chair Hoffman seconded the motion. Mr. Matsui said that he did not have a problem with removing his suggested permit condition change.

Vote: APPROVED 5/0

Motion passes.

Chair Hoffman made a motion to approve the establishment of permit conditions as stated in the request. Dr. Maria Haws seconded the motion.

Vote: APPROVED 5/0

Motion passes.

VI. ADJOURNMENT

Having no further business, Committee Chair Dr. Kevin Hoffman moved to adjourn the meeting. The motion was seconded by Committee member Rob Hauff and was unanimously approved. The meeting was adjourned at 4:51 P.M.

Vote: APPROVED 5/0

HDOA Advisory Committee Minutes - DRAFT
November 13, 2020

Respectfully Submitted,

Karen Hiroshige
Advisory Committee Secretary