

AGENDA
BOARD OF AGRICULTURE MEETING

Date: August 27, 2019
Time: 9:00 a.m.
Location: Plant Quarantine Conference Room
1849 Auiki Street
Honolulu, Hawaii 96819

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 6/25/19 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
 - A. AGRICULTURAL LOAN DIVISION
 1. Request for Approval of One (1) Direct Real Estate Loan to Gary and Valerie Strawn.
 2. Request for Approval of One (1) Emergency Loan to W.T. Haraguchi Farm, Inc.
 - B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
 1. Request for Consent to Assignment of General Lease No. S-3129; Ladybug Plants, LLC, Lessee/Assignor, to Hui Ku Maoli Ola, LLC, Assignee; Lot No. 12, TMK: 1st Div/4-1-010:043; Koolaupoko, Waimanalo, Island of Oahu, Hawaii
 2. Request for Approval: 1) To Rescind Approval of Consent to Assignment of General Lease No. S-9001, Jerome J. Kennedy Aka Joe Kennedy, Lessee/Assignor; to Volcano Island Honey Company, LLC, Assignee; And 2) of Consent to Assignment of General Lease No. S-9001, Jerome J. Kennedy Aka Joe Kennedy, Lessee/Assignor; to Jane Kelly Lavoie, Assignee; TMK: 2nd Div/ 5-2-001:011, Lot No. 2, Molokai Agricultural Park, Hoolehua-Apana, Island of Molokai, County of Maui, Hawaii
 3. Request to Terminate General Lease No. S-3109, Issue Cancellation Document, and Disposition of Lot; TMK: 1st Div/4-1-018-048, Koolaupoko, Waimanalo Farm Lots, Waimanalo, Island of Oahu
 - C. PLANT INDUSTRY DIVISION
Plant Quarantine Branch
Plants:
 1. Subject: (1) Submission of Hearing Officer's Report on the Proposed Amendments to Chapter 4-70, Hawaii Administrative Rules (HAR), entitled "Plant and Non-Domestic Animal Quarantine, Plant Import Rules," to Add a New Subchapter to Restrict the Importation of *Myrtaceae* (Myrtle Family) Plants and Plant Parts to Prevent the Introduction of New Strains of Ohi'a Rust, *Puccinia psidii*, a Plant Pathogen; (2) Request for Acceptance of Minutes of Public Hearings; and (3) Request for Adoption of the Proposed Amendments to Chapter 4-70, Hawaii Administrative Rules. (Preliminarily approved by the Board of Agriculture at its 12/16/2014 and 2/24/2015 Board Meetings)

(See Attachment for summary of amendments)

Invertebrate and Aquatic Biota:

2. Request to: (1) Allow the Importation of the Copepod, *Apocyclops panamensis*, an Unlisted Crustacean, by Special Permit, for Scientific Research, by Kampachi Farms, LLC.; and (2) Establish Permit Conditions for the Importation of the Copepod, *Apocyclops panamensis*, an Unlisted Crustacean, by Special Permit, for Scientific Research, by Kampachi Farms, LLC.

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. Status Update for Act 90, Session Laws of Hawaii 2003, Land Transfers from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA), presented by the Agricultural Resource Management.
2. Agribusiness Development Corporation's (ADC) Request for Assistance from the Department of Agriculture to Implement Title VI, Civil Rights Act of 1964, Compliance Programs.

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*The Board may go into Executive Session pursuant to exceptions provided under Section 92-5, Hawaii Revised Statutes (HRS), including to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, pursuant to Section 92-5(4), HRS.*

*Those persons desiring to submit written testimony may do so via postal mail to the BOA Chairperson's Office at 1428 S. King Street, Honolulu, HI 96814-2512; via fax to the BOA Chairperson at (808) 973-9613 or via e-mail to [HDOA.BOARD.TESTIMONY@HAWAII.GOV](mailto:HDOA.BOARD.TESTIMONY@HAWAII.GOV). Please include the word "testimony" and the subject matter following the address line. Those persons desiring to present oral testimony at the BOA meeting are requested to register with staff prior to the convening of the meeting. If possible, submit 14 copies of the written testimony to staff prior to the meeting.*

*"If you require special assistance or auxiliary aids or services to participate in the public hearing process please contact staff at (808) 973-9550 at least 48 hours prior to the meeting so arrangements can be made."*

**NOTE: MATERIALS FOR THIS AGENDA WILL BE AVAILABLE FOR REVIEW IN THE BOA CHAIRPERSON'S OFFICE, 1428 S. KING STREET, HONOLULU, HAWAII, ON AND AFTER THURSDAY, 8/22/19.**

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*To request language or accessibility for HDOA programs or public meetings, please contact the Office of the Chairperson, at (808) 973-9560 or email: [hdoa.info@hawaii.gov](mailto:hdoa.info@hawaii.gov). Please allow sufficient time for HDOA to meet accommodation requests."*

**Attachment to Board of Agriculture-August 27, 2019, Meeting – Agenda Item C-1**

Summary of Proposed New Subchapter 15,  
Entitled “Introduction of Myrtaceae” (Myrtle Family Plants and Plant Parts),  
Proposed for Addition to Chapter 4-70, Hawaii Administrative Rules, Plant and Non-Domestic  
Animal Quarantine, Plant Import Rules”

The proposed new Subchapter 15 contains three rule sections as summarized below.

1. §4-70-55, Notice of quarantine, gives notice that the Board of Agriculture has determined that the introduction of new strains of Ohia rust, *Puccinia psidii*, (a fungus), and other disease pathogens and insects not now established in Hawaii are a serious danger to Ohia and Ohia forests in Hawaii and to horticultural and agricultural industries. In conjunction with existing rule section 4-70—1, HAR, proposed rule §4-70-55 gives notice that quarantine measures will be implemented to prohibit or restrict import of specific plants to minimize the risk of introduction of Ohia rust, *Puccinia psidii*.
2. §4-70-56, Prohibited introduction, prohibits the introduction of Myrtaceae (Myrtle family of plants) except: (1) dried non-living plant materials; (2) seeds, with no other plant fragments, that have been surface-sterilized using treatments approved by the Department of Agriculture, Plant Quarantine Branch (PQB) chief; (3) tissue-cultured plants grown in sterile media and in a completely enclosed sterile glass flask or other similar container; or (4) by approved permit as provided in rule §4-70-57.
3. §4-70-57, Permits, authorizes the PQB chief, upon written request, to issue a permit allowing import of a limited quantity of plants in the Myrtaceae family (Myrtle family of plants) for propagation under the PQB’s supervision in a strictly enforced quarantine appropriate to contain *Puccinia psidii*, and other pests, pursuant to existing chapter 4-70, HAR, rule sections regarding plants requiring quarantine.

Myrtaceae (the Myrtle family of plants) includes a broad range of plants, including guava, eucalyptus, ohia, and plants used in the garden and floral industry.