

AGENDA
BOARD OF AGRICULTURE MEETING

Date: September 24, 2019
Time: 9:30 a.m.
Location: Department of Agriculture Conference Room
635 Mua Street
Kahului, Hawaii 96732

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 8/27/19 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
 - A. AGRICULTURAL LOAN DIVISION
 - 1. Request for Approval of One (1) Direct Facility Loan and One (1) Direct Operating Loan to Island Farm's LLC, David Allen Souza and Carol Jean Souza, Co-borrowers.
 - B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
 - 1. Request for Acceptance of Annual Lease Rents as Determined by Independent Appraisal for Rent Reopenings and New Leases for Various Lots Located Statewide
 - 2. Request for Approval for Issuance of Use of Right-Of-Entry to Bishop Museum and its Lessee(S): Darren Gamayo; Dardenella Gamayo; Devaun K. Gamayo; Darren I. Gamayo Jr. and their Authorized Representatives for Ingress and Egress Over and Through TMK (3) 4-9-011: 002, Ili of Kaohia, Waipio Valley, Hamakua, Island of Hawaii, Encumbered by Revocable Permit No. S-7839
 - 3. Request for Preliminary Approval to: 1) Revise Chapter 4-157-21(Rate, fee, and charge schedule), Hawaii Administrative Rules ("HAR"); and 2) Authorize the Chairperson to Schedule Public Hearings and to Appoint a Hearings Officer

(See Summary of Amendments attached)
 - C. PLANT INDUSTRY DIVISION
 - Plant Quarantine Branch
 - 1. 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

Following the regular business of the meeting, the Board will be going on the following visit:

1. 1:00 pm
Mahi Pono
1 Hansen Road
Kahului, HI 96732

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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, 9/19/19.**

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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 for BOA Meeting 9/24/19 -- Agenda Item B-3

Chapter 4-157-21 of the Hawaii Administrative Rules (HAR) allows the Board to establish irrigation system rates and charges. The last time irrigation system rates and charges were established by the Board was during the fiscal year (FY) period of 2006 to 2011, when water toll charges were increased from \$0.32/1,000 gallons to \$0.50/1,000 gallons.

Hawaii Revised Statutes (HRS) 167-22 requires the Hawaii Department of Agriculture (Department) to establish an irrigation system revolving fund. The irrigation system revolving fund should be self-sufficient and is supported by revenue from water delivery fees, acreage assessments, and legislative appropriations.

Currently, the irrigation system revolving fund is not self-sufficient. The irrigation system revolving fund is subsidized by the general fund and barrel tax fund. These funds, which contain a portion of the irrigation system's labor costs, allow the Department to keep the irrigation system rates and charges low but does not fulfill the requirements of HRS 167-22.

This Board Report request preliminary approval to revise HAR 4-157-21 to establish new irrigation system rates and charges and public hearings to bring the Department in compliance with HRS 167-22.