



**Minutes of the Board of Agriculture**

ANNOUNCEMENT: Chairperson Phyllis Shimabukuro-Geiser explained that the Agenda contained an incorrect link to the Zoom meeting. Public testimony would be accepted; however, the Board's decision-making and discussion would be deferred to another board meeting.

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on June 23, 2020 at 9:07 a.m. by Board of Agriculture Chairperson, Phyllis Shimabukuro-Geiser. The meeting was conducted virtually via Zoom due to the current risk of exposure to COVID-19.

Members Virtually Present:

Phyllis Shimabukuro-Geiser, Chairperson, Board of Agriculture  
Suzanne Case, Chairperson, Board of Land and Natural Resources, Ex Officio Member  
Mary Alice Evans, Office of Planning, Department of Business Economic Development, Ex Officio Member  
Dr. Nicholas Comerford, Dean of the College of Tropical Agriculture & Human Resources University of Hawaii, Ex Officio Member  
Vincent Mina, Maui Member  
Diane Ley, Hawaii Member  
Randy Cabral, Member-At-Large  
Glenn Hong, Member-At-Large  
Joe Tanaka, Member-At-Large

Others Virtually Present:

Brian Kau, HDOA/ARMD  
Roy Hasegawa, HDOA/ ARMD  
Linda Murai, HDOA/ARMD  
Joyce Wong, HDOA/ARMD  
Brandi Ah Yo, HDOA/ARMD  
Kirk Saiki, HDOA/ARMD  
Kevin Hoffman, HDOA/PI  
Dean Matsukawa, HDOA/ALD  
Christine Asing, HDOA/ALD  
Jillian Scheibe, HDOA/ALD  
Janelle Saneishi, HDOA/CHR  
Morris Atta, HDOA/CHR  
Earl Yamamoto, HDOA/CHR  
Bryan Yee, Attorney General's Office  
Val Kato, Attorney General's Office

1 Jody Yi, Attorney General's Office  
2 Kevin Hoffman, HDOA/PI  
3 Wil Leon-Guerrero, HDOA/PQB  
4 Jonathan Ho, HDOA/PQB  
5 Chris Kishimoto, HDOA/PQB  
6 Trenton Yasui, HDOA/PQB  
7 Leslie Drent, LBD Coffee, LLC  
8 Tai Erum, LBD Coffee, LLC  
9 David Bateman, Heavenly Hawaiian Farms  
10 Cornel Kea, Dutch-Hawaiian Dairy Farms, LLC  
11 Kees Kea, Dutch-Hawaiian Dairy Farms, LLC  
12 Cathy Goeggel, Animal Rights Hawaii  
13 Gary Genske, CPA  
14 Scott E. Enright  
15 Dr. Vivek Nerukar, UH/JABSOM  
16 Saguna Verma, UH/JABSOM  
17 Axel Lehrer, UH/JABSOM  
18 Hubert Olipares, UH  
19 Edward Ohlson, JABSOM/UH  
20 Wei-Kung Wang, JABSOM/UH  
21 Other non-testifying attendees  
22

23 II. APPROVAL OF MINUTES FROM 4/14/20 MEETING

24  
25 No action.  
26

27 III. INTRODUCTIONS

28  
29 Chair explained that attendees wishing to testify should use the raise hand button on the Zoom  
30 screen. When recognized, they would be able to unmute; identify themselves and the  
31 organization that they represent; present their 2-minute testimony and mute themselves when  
32 done.  
33

34 Chair thanked Board Member Glenn Hong, whose term ends on June 30, 2020.  
35

36 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

37  
38 A. AGRICULTURAL LOAN DIVISION

- 39  
40 1. Request for Approval of One (1) Emergency Loan to LBD Coffee, LLC and Leslie  
41 Drent, co-borrowers.  
42

43 Christine Asing, HDOA/ALD presented testimony as submitted. Staff recommends approval.  
44

1 Mr. Leslie Drent, Owner and Mr. Tai Erum, Operations Manager of LBD Coffee, LLC joined the  
2 meeting. Mr. Drent testified that although creditors have been patient, LBD is working to find  
3 funding to replace lost income. The loan would be used to pay 3 processors for value-added  
4 debt.  
5

- 6 2. Request for Approval of One (1) Emergency Loan to Heavenly Hawaiian, Ltd., &  
7 The Other Farm, Ltd., co-borrowers.  
8

9 Jillian Scheibe, HDOA/ALD presented testimony as submitted. Staff recommends approval.  
10

11 Mr. David Bateman, owner of Heavenly Hawaiian Farms, testified that when tourism income  
12 disappeared, they pivoted their business and reached out to member/monthly customer lists to  
13 replace some of the lost income. The infusion of cash from the loan will bridge the company till  
14 the end of the year.  
15

- 16 3. Request for Approval of One (1) Emergency Loan to ZBAR Ranch, LLC and  
17 Barney James Schutte, co-borrowers.  
18

19 Jillian Scheibe, HDOA/ALD presented testimony as submitted. Staff recommends approval.  
20

21 Ms. Cathy Goeggel, Animal Rights Hawaii opposed the loan, in strong opposition to loans to the  
22 livestock industry.  
23

24 Sylvia Dolena, Pele Lani Farm LLC, submitted written testimony opposing the loan.  
25  
26

27 Chair announced that item B11 would be taken out of order and heard after item A4. Both items  
28 relate to the Dutch-Hawaiian Dairy Farms, LLC.  
29

- 30 4. Request for Approval of One (1) Direct Farm Ownership/Improvement Loan and  
31 One (1) Direct Operating Loan to Dutch-Hawaiian Dairy Farms, LLC  
32

33 Dean Matsukawa, HDOA/ALD presented testimony as submitted. Staff recommends approval.  
34

35 Sylvia Dolena, Pele Lani Farm LLC, submitted written testimony opposing the loan.  
36  
37

## 38 B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION 39

- 40 11. Request for Consent to Assignment of General Lease No. S-6024, Boteilho  
41 Hawaii Enterprises, Inc., Lessee/Assignor; to Dutch-Hawaiian Dairy Farms, LLC,  
42 Assignee, TMK: 3<sup>rd</sup> Div/5-5-003:004, 005 and 006; 3<sup>rd</sup> Div/5-5-005:001; 3<sup>rd</sup> Div/5-  
43 5-006:002, 003, 004 and 015, Opihipau-Hukiaa, Kokoiki, North Kohala, Island of  
44 Hawaii, Hawaii  
45

46 Brandi Ah Yo, HDOA/ARMD presented testimony as submitted. Staff recommends approval.  
47

1 Mr. Cornel Kea and his father, Kees Kea joined the meeting. Cornel Kea addressed the Board  
2 stating that their original plan was to build a dairy farm in Ookala but it was cost prohibitive and  
3 did not materialize. Cloverleaf Dairy is a turnkey operation with utilities, milking facility, dwellings  
4 and cows. The operation is ongoing; however, the operation has not been able to recover from  
5 previous low milk prices. Cloverleaf Dairy owner, Mr. Boteilho, does not have anyone who  
6 would like to take over the operation. Cornel graduated from UH Hilo/Ag degree and went to  
7 Wisconsin to learn dairy farming. Under his father's guidance he wants to make the dairy more  
8 efficient. In addition, they would also focus on value added products—cheesemaking and  
9 yogurt making to improve cashflow. They believe Hawaii dairies can be successful if not reliant  
10 on mainland sources for feed.

11  
12 Ms. Cathy Goeggel, Animal Rights Hawaii, testified in opposition of the loan and the assignment  
13 of lease because the dairy industry is dangerous to the environment.

14  
15 Mr. Gary Genske testified in support. He is a CPA specializing in dairy farms across the country  
16 and is also a dairy farmer with 45-years of experience. He personally knows the Kea family and  
17 has done the cash flow and to his knowledge, current owner, Boteilho, does not have any  
18 violations.

- 19  
20  
21 1. Request for Approval for the Transfer of Public Lands at Kula on the Island of  
22 Maui from the Department of Land and Natural Resources to the Department of  
23 Agriculture Pursuant to Act 90, SLH 2003, Codified as Chapter 166E, Hawaii  
24 Revised Statutes

25  
26 Linda Murai, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

27  
28 No public comments.

- 29  
30 2. Request for Acceptance of Annual Lease Rents as Determined by Independent  
31 Appraisal for Rent Reopenings and New Leases for TMK: (1) 4-1-009:269; (1)  
32 4-1-027:004; (1) 8-5-034:001; (1) 8-5-034:003; (1) 8-5-034:004; (1) 8-5-034:006;  
33 (1) 8-5-034:008; (1) 8-5-034:010; (1) 8-5-034:011; (1) 8-5-034:012; (1) 8-5-  
34 034:015; (3) 1-2-006:019; (3) 2-1-016:001; (3) 2-4-049:011; (3) 5-8-002:002; (3)  
35 5-9-001:004, (3) 5-9-003:002 & 004, (3) 5-9-004:001 & 008; (3) 1-5-116:001; (3)  
36 1-5-116:003; (3) 1-5-116:007; (3) 1-5-116:011; (3) 1-5-116:012; (3) 1-5-116:013;  
37 (3) 1-5-116:015; (3) 1-5-116:017; (3) 1-5-116:018; (3) 1-5-116:020; (3) 1-5-  
38 116:034; (3) 1-5-116:062; (4) 1-9-002:001; (4) 1-9-002:013; (4) 1-9-002:019; (4)  
39 1-9-002:020; (4) 1-9-002:045; (4) 1-9-003:006; (4) 1-9-003:010; (4) 4-1-001:007;  
40 (4) 4-1-001:012; (4) 4-1-009:005 & 006; (4) 4-4-002:031

41  
42 Roy Hasegawa, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

43  
44 No public comments.

- 45  
46 3. Request for Consent to Assignment of General Lease No. S-4925; Lounareth  
47 Soulatha, Lessee/Assignor; to Mahiku Farm LLC, Assignee; TMK: 1<sup>st</sup> Div/4-1-

1 035:004, Lot 4, Waimanalo Agricultural Park, Koolaupoko, Waimanalo, Island of  
2 Oahu, Hawaii

3  
4 Linda Murai, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

5  
6 No public comments.

7  
8 4. Request for Consent to Assignment of General Lease No. S-9014, Thomas  
9 Decourcy, Lessee/Assignor; to Thomas Decourcy and Bradley Tsugio Sakamoto,  
10 Assignee; TMK: 2<sup>nd</sup> Div/5-2-001:022, Lot No. 13, Molokai Agricultural Park,  
11 Hoolehua-Apana, Island of Molokai, County of Maui, Hawaii

12  
13 Linda Murai, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

14  
15 No public comments.

16  
17 5. Request for Approval of Extension of Lease Term, General Lease No. S-5480,  
18 TMK: (4) 4-4-002:031; Lelan C. Nishek and Barbara M. Nishek, Lessee; Kapaa  
19 Homesteads, 2<sup>nd</sup> Series, Oolohena Kawaihau, Island of Kauai, Hawaii

20  
21 Linda Murai, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

22  
23 No public comments

24  
25 6. Request for Approval to Sublease between the Hamakua Agricultural  
26 Cooperative, Lessee/Sublessor, and Stanley Cypriano, Sublessee; General  
27 Lease No. S-5551, TMK: (3) 4-6-003:01,02,20(por), Lot Nos.  
28 3,5,9,10,20,21,22,23, and General Lease No. S-5554, TMK: (3) 4-6-  
29 001:007,008,018(por), Lot No. 002, Honokaia Makai Tract, and Lauka-Kulihai,  
30 Hamakua, Island of Hawaii

31  
32 Joyce Wong, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

33  
34 No public comments.

35  
36 7. Request for Approval to Sublease between the Hamakua Agricultural  
37 Cooperative, Lessee/Sublessor, and Robert M. Bowman, Sublessee; General  
38 Lease No. S-5551, TMK: (3) 4-6-003:001, 002, 020(por), Lot No. 18B, Honokaia  
39 Makai Tract, Hamakua, Island of Hawaii

40  
41 Joyce Wong, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

42  
43 No public comments.

44

1                   8. Request for Consent to Assignment of General Lease No. S-4790, Soriano Farm,  
2                   Inc., Lessee/Assignor, to Lester Gebin, Assignee, TMK: 3<sup>rd</sup> Div/8-8-004:010, Lot  
3                   10, Papa Homesteads, Papa 1<sup>st</sup>, South Kona, Island of Hawaii  
4

5 Joyce Wong, HDOA/ARMD presented testimony as submitted. Staff recommends approval.  
6

7 No public comments  
8

9                   9. Request for Consent to Assignment of General Lease No. S-4822, Ted Scott  
10                  Phillips, Lessee/Assignor, to Susan Christine Philips, Assignee, TMK: 3<sup>rd</sup> Div/1-5-  
11                  116:059, Lot 32 Pahoia Agricultural Park, Phase II, Keonepoko Iki, Puna, Island  
12                  of Hawaii  
13

14 Joyce Wong, HDOA/ARMD presented testimony as submitted. Staff recommends approval.  
15

16 No public comments.  
17

18                  10. Request for Consent to Assignment of General Lease No. S-4855, Mountain  
19                  Shore Farm LLC, Lessee/Assignor, to Zachariah Weimer, Assignee, TMK: 3<sup>rd</sup>  
20                  Div/7-3-049:030, Lot 34, Keahole Agricultural Park, Kalaoa, North Kona, Island of  
21                  Hawaii  
22

23 Brandi Ah Yo, HDOA/ARMD presented testimony as submitted. Staff recommends approval.  
24

25 No public comments.  
26

27 Board Member Joe Tanaka left the meeting at 10:18 a.m.  
28

29                  12. Request for Consent to Assignment of General Lease Nos. S-7000, S-7014, S-  
30                  7015 and S-7016; Hawaii Beef Producers, LLC, Lessee/Assignor, to Hawaii Beef  
31                  Lease, LLC, Assignee; TMK: 3<sup>rd</sup> Div/4-3-005:002; 3<sup>rd</sup> Div/4-3-005-002-5002; 3<sup>rd</sup>  
32                  Div/4-3-005-002-5003 and 3<sup>rd</sup> Div/4-3-005-002-5004, Hamakua Agricultural Park,  
33                  Pohakuhaku and Kemau 1<sup>st</sup>, Hamakua District, Island of Hawaii, Hawaii  
34

35 Brandi Ah Yo, HDOA/ARMD presented testimony as submitted. Staff recommends approval.  
36

37 Mr. Scott Enright testified as a representative of Hawaii Beef Lease, LLC and Mr. Schutte. He  
38 stated that the LLC has the ability to capitalize the improvements needed to efficiently move  
39 more animals across the kill floor space and will provide a great opportunity for the Ag and  
40 Cattle industries.  
41

42 Ms. Cathy Goeggel, Animal Rights Hawaii, testified in opposition of the transfer. Noted that  
43 Hamakua slaughterhouse has a difficult history and suggested an audit of the operation.  
44

45  
46                  13. Certification of Acreage Assessments for The Honokaa-Paauilo, Kahuku,  
47                  Molokai, Waimanalo, and Waimea Irrigation Systems, 2021 Fiscal Year

1  
2 Brian Kau, HDOA/ARMD presented testimony as submitted. Staff recommends approval.

3  
4 No public comment.

5  
6  
7 C. PLANT INDUSTRY DIVISION

8  
9 Plant Quarantine Branch

10  
11 1. Request to: (1) Allow the Importation of the Coronaviruses: Alphacoronavirus  
12 Strains NL63 and 229E, and Non-Select Agent Betacoronavirus Strains OC43  
13 and HKU1, Viruses on the List of Restricted Microorganisms (Part A), for  
14 Laboratory Research by the University of Hawaii, by Emergency Permit;

15  
16 (2) Establish Permit Conditions for Importation of the Coronaviruses:  
17 Alphacoronavirus Strains NL63 and 229E, and Non-Select Agent  
18 Betacoronavirus Strains OC43 and HKU1, Viruses on the List of Restricted  
19 Microorganisms (Part A) for Laboratory Research by the University of Hawaii;

20  
21 (3) Allow the Importation of the Coronaviruses: SARS-CoV-2 Betacoronavirus  
22 Isolates USA-WA1/2020, Germany/BavPat1/2020, and USA CA3/2020, Viruses  
23 on the List of Restricted Microorganisms (Part A), for Laboratory Research by the  
24 University of Hawaii, by Emergency Permit; and

25  
26 (4) Establish Permit Conditions for Importation of the Coronaviruses: SARS-  
27 CoV-2 Betacoronavirus Isolates USA-WA1/2020, Germany/BavPat1/2020, and  
28 USA CA3/2020, Viruses on the List of Restricted Microorganisms (Part A) for  
29 Laboratory Research by the University of Hawaii.

30  
31 Wil Leon-Guerrero, Microbiologist, HDOA/PQB presented testimony as  
32 submitted. Staff recommends approval of parts one and two with proposed BSL-  
33 2 permit conditions. Based upon recommendations and comments of the initial  
34 and revised request for SARS-COV-2 coronaviruses, staff recommends  
35 disapproval of parts three and four for an emergency permit.

36  
37 Mr. Leon-Guerrero summarized the subcommittee review, as submitted.

38  
39 Public Testimony:

40  
41 1. Dr. Vivek Nerukar, D.M.L.T., M.Sc., Ph.D., Professor and Chair Department of Tropical  
42 Medicine, Medical Microbiology and Pharmacology (DTMMP); Director, John A. Burns  
43 School of Medicine (JABSOM), is the Applicant and spoke to address concerns of the  
44 import of SARS-COV-2, items 3 and 4. He added that any additional concerns can be  
45 addressed by adding additional conditions.  
46

- 1 2. Mr. Ted Liu, Director of Referential Systems, Inc. and CEO of Senturiun+LLC, Hawaii-based  
2 technology companies submitted written and oral testimony to support the application. He  
3 also requested that the Board consider approval of items 3 and 4 and add conditions to  
4 address concerns not addressed by JABSOM.  
5
- 6 3. Ms. Saguna Verma, Associate Professor, DTMMP/UH presented written and oral testimony  
7 in strong support of permitting the importation of SARS-COOV-2 and other human  
8 coronaviruses.  
9
- 10 4. Dr. Axel Lehrer, Assistant Professor, JABSOM submitted written and oral testimony in  
11 support of importation to support research by UH investigators.  
12
- 13 5. Mr. Hubert Olipares, Biosafety Officer, UH Office of Research and Compliance submitted  
14 written and oral testimony regarding the inspection of the JABSOM Biocontainment Facility  
15 (JBF), Biosafety Level 3 (BSL3) and Animal Biosafety 3 (ABSL3)  
16
- 17 6. Mr. Edward Ohlson, Director of Facilities, Management and Planning at JABSOM testified  
18 on the recertification and reliability of the BSL3 lab.  
19
- 20 7. Mr. Wei-Kung Wang, M.D., Ph. D., Professor at the DTMMP/UH, submitted written and oral  
21 testimony in strong support for the approval of the importation permit of the SARS-CoV2  
22 strains and other human common cold coronaviruses.  
23  
24

25 Written testimony in support of permitting the importation of SARS-CoV-2 and other  
26 coronaviruses was submitted by:

- 27
- 28 • Eileen Nakano, Ph.D., JBF Supervisor, Research Support, DTMMP/UH
- 29 • Daniel Strange, Ph.D. Candidate, DTMMP/UH
- 30 • Joseph DiCostanzo M.D.
- 31 • Wen-Yang Tsai, M.S., Ph.D., Assistant Professor, DTMMP/UH
- 32 • Tao Yan, Ph.D., Professor, UH College of Engineering
- 33 • Richard Yanagihara, M.D., M.P.H., Professor, Department of Pediatrics, Director, Pacific  
34 Center for Emerging Infectious Diseases Research, UH
- 35 • Daniel Jenkins PhD, PE
- 36 • Lauren L. Ching, Ph.D. Candidate, Nerukar Laboratory, DTTMP/UH
- 37 • Alanna Tsent, Ph.D. Candidate, Molecular Biosciences & Bioengineering, UH
- 38 • Jakub Hyvl, Assistant Professor, Dept of Chemistry, UH Manoa  
39

40 Jerris R. Hedges, MD, Dean, JABSOM, submitted written comments in response to statements  
41 presented by Dr. Whelen.  
42  
43

44 V. OLD BUSINESS

45  
46 None



1  
2 VI. NEW BUSINESS

3  
4 None

5  
6 VII. ADJOURNMENT OF REGULAR MEETING

7  
8 Discussion and decision making by the Board was deferred until the next meeting. Public  
9 comments will also be accepted at the next meeting. All comments and written testimony  
10 presented/received will be part of the record and considered at the next board meeting.

11  
12 Meeting adjourned at 10:58 AM

13  
14 Respectfully submitted,

15  
16 

17  
18 Jan Ferrer  
19 Board Secretary