



Department  
of Agriculture

STATE OF HAWAII

Minutes of the Board of Agriculture  
September 22, 2020

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on September 22, 2020 at 9:08 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  
Dr. Nicholas Comerford, Dean of the College of Tropical Agriculture & Human Resources University of Hawaii, Ex Officio Member  
Mary Alice Evans, Ex Officio Member  
Vincent Mina, Maui Member  
Diane Ley, Hawaii Member  
Fred Cowell, Kauai Member  
Randy Cabral, Member-at-Large  
Joe Tanaka, Member-at-Large  
En Young, Member-at-Large

Others Virtually Present:<sup>1</sup>

18083879113  
Adrian Kamali'i  
Aja Eyre  
Andrew Goff, Attorney General's Office  
Becky Azama, HDOA/Pesticides  
Bob King  
Brandi Ah Yo, HDOA/ARMD  
Bryan Yee, Attorney General's Office  
David Saito  
Doug Fine  
Elisabeth  
Gail Byrne Baber  
Galaxy Note 9  
James Toma, Department of Health  
Janet  
JF Greimann  
Jonathan Ho, HDOA/Plant Quarantine  
Joyce Wong, HDOA/ARMD

<sup>1</sup> The identification of the public members is based on their sign-in name, but are not verified.

1 Jutta Mueller  
2 Keith Zelinski  
3 Leo Obaldo, HDOA/QAD  
4 Leslie  
5 Linda Murai, HDOA/ARMD  
6 Lois Tambalo  
7 Martin Canning  
8 Michael Iosua  
9 Michael Tivana  
10 Morris Atta, HDOA/CHR  
11 Peter Fay  
12 Ray Maki  
13 Raymond McGorry  
14 Kyle Yamashita  
15 Roy Hasegawa, HDOA/ARMD  
16 Sean Lester  
17 Shelley Choy, HDOA/QAD  
18 Steve Shropshire  
19 Tai Cheng

20  
21 II. CALL TO ORDER

22  
23 II. APPROVAL OF MINUTES FROM 8/12/20 MEETING

24  
25 Motion to approve 8/12/20 minutes: Mina/Cowell

26  
27 Vote: Approved, 9-0; (Abstained: Case)

28  
29 III. INTRODUCTIONS

30 None

31  
32 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

33  
34 A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

35  
36 1. Request to Approve Rental Offset, General Lease Nos. S-1002, S-1013, S-1016,  
37 S-1017; Hawaii Golden Farm, LLC, Lessee; TMK: 1<sup>st</sup> Div/8-5-034:002, 013, 016,  
38 and 017, Lots 2, 13, 16 and 17, Waianae Agricultural Park, Waianae, Island of  
39 Oahu, Hawaii

40  
41 Roy Hasegawa, HDOA/ARMD, presented testimony as submitted. Staff recommends approval.

42  
43 Motion to Approve: Evans/Tanaka

44  
45 Board Member Cabral questioned how often a lessee could request a rent deferral. Board  
46 Member Ley asked the definition of "offset". Mr. Hasegawa explained that rent deferrals are

1 only for new leases; after one year, the lessee could submit receipts for cleaning and land  
2 preparation and request an "offset". The offset is a waiver of lease rent for two years.

3  
4 Board Member Tanaka asked if there were any past exemptions authorized. Mr. Hasegawa  
5 confirmed that there was an exemption in 2019 or early 2019 for a lessee in Waimanalo.

6  
7 Vote: Approved, 10-0  
8  
9

10 2. Request for Approval for Farm Dwelling; General Lease No. S-3132; Joshua  
11 Stamm, Lessee; Lot 14, TMK: 1<sup>st</sup> Div/4-1-010:046, Koolaupoko, Waimanalo,  
12 Island of Oahu, Hawaii  
13

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

15  
16 Motion to Approve: Evans/Ley  
17

18 Board Member Evans asked if there was a previous farm dwelling on the site. Mr. Hasegawa  
19 replied that there was a greenhouse but no dwelling. Board Member Mina asked what would  
20 happen to the dwelling at the end of the lease. Ms. Murai replied that since it is considered a  
21 fixture, it would return to the State. She also confirmed that the Lessee would be responsible to  
22 the County as far as the sewer hookup, etc.  
23

24 Vote: Approved, 10-0  
25  
26

27 3. Request for Consent to Assignment of General Lease No. S-3114, Michael  
28 Shinsky (Deceased), Lessee/Assignor; Julia Shumann-Shinsky, Assignee; TMK:  
29 3<sup>rd</sup> Div/4-4-011:033, Lot No. 33, Ka'apahu Homesteads, Hamakua, Island of  
30 Hawaii  
31

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

33  
34 Motion to Approve: Mina/Ley  
35

36 Board Member Mina expressed condolences to the Shinsky family and wished Julia Shumann-  
37 Shinsky the best.  
38

39 Board Member Young referred to "New Business, Item #2" and commented that the request had  
40 a clear line of succession and should be taken up as departmental housekeeping.  
41

42 Vote: Approved, 10-0  
43  
44

45 4. Request for Approval to Sublease between the Hamakua Agricultural Cooperative,  
46 Lessee/Sublessor, and Whitney Velez, Sublessee; General Lease No. S-5549,

1 TMK: 3<sup>rd</sup> Div/ 4-4-001:001 (Por), Lot No. 02, Kaunamano, Hamakua, Island of  
2 Hawaii

3  
4 Joyce Wong, HDOA/ARMD, presented testimony as submitted. Staff recommends approval.

5  
6 Motion to Approve: Tanaka/Ley

7  
8 Vote: Approved, 10-0

9  
10  
11 5. Request for Approval to Sublease between the Hamakua Agricultural  
12 Cooperative, Lessee/Sublessor, and Agee, Inc., Sublessee; General Lease Nos.  
13 S-7009, TMK: 3<sup>rd</sup> Div/4-3-005:014 (Por), Lot No. 16, General Lease No. S-7010,  
14 TMK: 3<sup>rd</sup> Div/4-3-005:017 (Por), Lot Nos. 06, 07, 09, General Lease No. S-7012,  
15 TMK: 3<sup>rd</sup> Div/4-3-005:019 (Por), Lot No. 08, General Lease No. S-7013, TMK: 3<sup>rd</sup>  
16 Div/4-3-005:020 (Por), Lot No. 2A, Hamakua Pohakuhaku and Kemau 1st,  
17 Hamakua, Island of Hawaii

18  
19 Joyce Wong, HDOA/ARMD, presented testimony as submitted. Staff recommends approval.

20  
21 Motion to Approve: Cabral/Cowell

22  
23 Chair questioned if the sublessee had maintained the property in a satisfactory manner. Ms.  
24 Wong answered that Agee, Inc. had already cleared and prepared property for cattle movement,  
25 everything was in order and the agreement with State had been fulfilled. Board Member Ley  
26 asked Ms. Wong to elaborate on the agreement with the department and questioned whether it  
27 was a separate action. Ms. Wong said that there had been a question about Agee, Inc. staying  
28 on the property, but all matters were cleared with the former Chair.

29  
30 Board Member Ley questioned whether there was a policy between the Coop and DOA which  
31 limits one sublessee to subleasing up to 50% of the Coop's lands and if there were opportunities  
32 for other producers to sublease within the Coop's leased lands? Ms. Murai said that there was  
33 no policy written or unwritten for Hamakua Ag Park. Chair questioned whether there was  
34 anything for all subletting of Ag Parks. Ms. Murai replied in the negative.

35  
36 Board Member Young asked if there was any testing done for pesticides and insecticides and if  
37 any disclosures were required as former sugar lands are now being used for cattle. Ms. Murai  
38 was not sure but would follow-up. Chair requested that the Division include how long the land  
39 had remained fallow.

40  
41 Board Member Ley asked if the response could be a summary report at a future meeting so that  
42 all board members could be better informed. DAG Yee replied that a report from the division at  
43 a future meeting is fine if further discussion is required. If communication is by email, the  
44 response should be sent "To Board Member Young" with a "bc" to all of the other board  
45 members. He explained that if "reply all" was used, using "bc" would avoid inadvertent  
46 communication between board members, which could be a sunshine law problem.

47

1 Vote: Approved, 10-0

2

3

4 6. Request for Consent to Assignment of General Lease No. S-4636; Ronald T.  
5 Okazaki (Deceased) Lessee/Assignor to Green Point Nurseries, Inc., Assignee;  
6 Lot No. 8, TMK: 3<sup>rd</sup> Div/2-4-049:022, Waiakea, South Hilo, Island of Hawaii

7

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

9

10 Motion to Approve: Ley/Tanaka

11

12 Vote: Approved, 10-0

13

14

15 7. Request for Approval to participate in The United States Department of  
16 Agriculture, Conservation Reserve Program; General Lease No. S-5655;  
17 Ponoholo Ranch, Limited, Lessee; TMK: 3<sup>rd</sup> Div/5-9-002:006; Makiloa, North  
18 Kohala, Island of Hawaii, Hawaii.

19

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

21

22 Motion to Approve: Cabral/Ley

23

24 Public Testimony: None

25

26 Board Member Mina asked if the operation was mob grazing animals. Ms. Ah Yo replied that  
27 she would check and get back to him.

28

29 Vote: Approved, 10-0

30

31

32 8. Request for Approval for Installation of a Prefabricated Warehouse; General  
33 Lease No. S-3766; Contemporary Landscaping LLC, Lessee; Lot 10, TMK: 1<sup>st</sup>  
34 Div/4-1-027:019, Koolaupoko, Waimanalo, Island of Oahu, Hawaii

35

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

37

38 Motion to Approve: Evans/Tanaka

39

40 Board Member Mina asked if the lessee could take the warehouse with them at the end of the  
41 lease. Ms. Murai answered yes, with the consent of the lessor.

42

43 Vote: Approved, 10-0

44

45

46

1 B. QUALITY ASSURANCE DIVISION

- 2  
3 1. Request for Approval of Proposed Chapter 4-161, Hawaii Administrative Rules,  
4 entitled "Hemp Production Interim Rules." The proposed new chapter 4-161  
5 includes: §4-161-A Definitions; §4-161-B Transportation (requirements for the  
6 transportation of hemp); §4-161-C Nuisance (hemp growing area restrictions;  
7 compliance with nuisance, environmental, and land use regulations); §4-161-D  
8 Inspection; and §4-161-E Violations/Penalties.\*  
9

10 Chair explained that following the motion to approve/disapprove, all public testimony would be  
11 heard. The Board would then go into Executive Session to get clarity on the interim rules.  
12 Following the Executive Session, discussion, questions and decision making would follow.

13  
14 Shelley Choy, HDOA/QAD, presented testimony as submitted. Staff recommends approval.

15  
16 Motion to Approve: Evans/Tanaka

17  
18 Public Testimony:

19  
20 Chair stated that the Board received 35 written testimonies.

21  
22 Micahel Iosua, Attorney representing South Maui Gardens, submitted verbal and written  
23 testimony in support of the interim rules.

24  
25 Peter Fay, representing Omaopio-Piliwale Ohana, urged disapproval of the interim rules until  
26 nuisance rules are incorporated to address the noise, smell, vibrations and light destroying the  
27 neighborhood.

28  
29 Sean Lester, field technician working with Dr. Leventhal, international expert on sound and  
30 acoustics, testified that he took field readings for the Dr. and the Ohana. The readings were up  
31 to 72 db in the field which was 25 db over international standards. He added residents are  
32 subjected to unacceptable level of low frequency noise from fans which would not be tolerated  
33 in other countries. He suggested that the grower would need to replace fans. The homes are  
34 shaking but there is no ability for grower to work with Ohana. He asked the Board to require 45  
35 and 50 db at the boundary of the property

36  
37 Raymond McGorry, license holder, founder Solvate Services, opposed Section 4-161-4 fees for  
38 inspections and Section 4-161-2 regarding transportation.

39  
40 Doug Fine testified that he cultivated hemp in Hawaii and on the mainland and felt that the  
41 direction of hemp is to become a major staple crop; fewer restrictions are better in the long term.

42  
43 Ray Maki, President of the Hawaii Hemp Farmers Association testified that the organization was  
44 concerned that the \$50/hour inspection fee for discretionary requests would be a financial  
45 burden to the farmer. The have complaints about the buffer distances and felt that it was an  
46 unstudied, late addition to the bill that could articulate financial damage to compliant growers.  
47 He summarized that agricultural nuisance is a well-established area of lawful oversight at the

1 county and state levels and questioned the capacity of DOA to investigate and mediate the  
2 complaint and how the fines would be applied through the department.

3  
4 Gail Byrne Baber's testified that her husband has been farming for 40+ years and was issued  
5 one of the first hemp permits. She voiced objection to the buffers and nuisance sections of the  
6 interim rules--one neighbor situation has resulted in micromanaging and overregulating the  
7 industry. She stated OSHA and the County already have penalties in place and would like to  
8 see a pathway forward for mitigation.

9  
10 Michael Tivana, Island Hemp on Big Island, testified against Section 4-161-4, fees for  
11 inspection. He said he has orders to fill but it is not clear who would do the approval. He  
12 recommended striking inspection fees.

13  
14 Martin Canning of Hawaiian Hempire Farms on the Big Island supported the department's  
15 position but opposed inspection fees in the violation/penalties section. He stated that testing is  
16 already required under USDA and under pilot program and they already pay for inspections. He  
17 voiced concern about potential oversight problems when individuals without experience in the  
18 hemp industry conduct inspections and would like the penalties removed or altered.

19  
20 Jennifer Greimann, Mauna Lua farms LLC, Hawaii, testified that farming is expensive; she  
21 explored programs through FSA/USDA but found it difficult to understand and qualify. She  
22 stated that community dialogue was needed and that USDA and DOA should become part of  
23 team to help the farmer become successful.

24  
25 Elizabeth Bluml is a neighbor of hemp farm, South Maui Gardens. She testified and that due to  
26 24-hour noise and excessive smell, she is losing her voice, is on medication, and is very  
27 concerned about her 12-year old daughter having problems. She is pro-CBD but would like  
28 rules and regulations for the industry to succeed without burdening the neighbors.

29  
30 Keith Zelinski, Solvate Services testified that additional fines, law enforcement, and buffers,  
31 make it difficult/impossible to be a successful farmer.

32  
33 James Toma of the Department of Health's Noise Section testified that noise rules are in place  
34 based on zoning of property. For agriculture, it is 70 db, 24/hours/day; for residential, it is 55 db  
35 during day and 45 db at night.

36  
37 Aja Eyre, a Maui resident, testified that the Department of Health's noise statutes have not been  
38 amended since 1996 and the Legislature should look at amending the statutes to consider  
39 mixed zoning as antiquated laws are being used to address modern problems.

40  
41  
42 Motion to go into Executive Session to consult with Attorney: Mina/Comerford

43  
44 Vote: Approved, 10-0

45 The Meeting was paused to enter Executive Session at 10:45 a.m.

46 The Meeting reconvened at 11:36 a.m. Discussion followed:

47

1  
2 Board Member Evans directed a question to Mr. Toma as to whether the Department of Health  
3 had received complaints regarding a Hemp farm on Maui. Being that Mr. Toma was no longer  
4 in attendance, Ms. Choy answered that a complaint was filed but not investigated due to  
5 COVID.

6  
7 Board Member Mina asked Ms. Baber about USDA rules and fees. Ms. Baber replied that there  
8 are none required by USDA. The only requirement was an email and letter from DOA. She  
9 requested that the DOA not regulate ahead of the USDA. She added that she would like to  
10 delete the fees as the USDA does not authorize fees and HB1819 does not authorize fees.

11  
12 Board Member Tanaka asked Mr. Iosua why fans were needed on the farm. Mr. Iosua  
13 answered that he did not know. He also added that they did an audio inspection and the sound  
14 tests read 44-45 db levels and South Maui Gardens was willing to do mitigating efforts within  
15 reason. Board Member Cabral said that fans are needed to keep the air circulating to prevent  
16 mold and mildew. He did not know why they were using large fans as smaller fans are quieter  
17 and the norm on mainland operations. Mr. Iosua acknowledged that he would speak to Scooter  
18 Wallace regarding the size of the fan. Board Member Young explained that the fans pictured  
19 looked like exhaust fans to control humidity and heat which is the reason they need to be  
20 running during the day. He added that smaller fans would change the electrical load as more  
21 motors would be running and that greenhouse engineers would normally try to use the least  
22 number of fans for flow rates.

23  
24 Board Member Comerford asked if the Board could receive the new information or inspection  
25 reports that were referred to by Mike Iosua and Sean Lester in a readable form. Board member  
26 Case clarified that they should submit the information as written testimony.

27  
28 Board Member Ley stated that the new USDA rules for issuing licenses take effect on 10/30/20  
29 but do not address transportation and nuisance. Ms. Choy stated that the USDA gives the  
30 license to grow the hemp and nuisance and transportation is a state function. Board Member  
31 Ley asked if there was a regulatory process for vibration and odor and if there were any other  
32 jurisdictions throughout the United States that address the effects of Cannabis growing. Ms.  
33 Choy answered that the DOH would handle vibrations and maybe the EPA would handle the  
34 chemical/odor. Ms. Choy was not sure about other jurisdictions which have addressed the  
35 effects. Board Member Ley asked for more research into the effects.

36  
37 Board Member Ley asked if the interim rules, would allow DOA to inspect, issue a notice of  
38 violation, or assess fines. As an example, if there were noise problems would the DOA be able  
39 to enforce DOH statutes? DAG Yee clarified the question: Would DOA be able to issue a  
40 violation if violation of DOH regulations are found? Ms. Choy replied, yes and added that DOH  
41 has experts to measure nuisances. DOA does not have the training or expertise to take  
42 measurements. Chair asked Ms. Choy to confirm that odor comes under vector control.

43  
44 Board Member Young asked if other departments would be called to help fill in the blanks if the  
45 rules were approved. Ms. Choy answered if the rules were approved, it would mean that the  
46 Board believed that the rules adequately addressed the issues.

47

1 Board Member Ley asked if the inspection rate of \$50/hour + mileage is typical of the fees  
2 charged for other inspections. Chair stated and Ms. Choy confirmed that it is the rate currently  
3 charged by the Plant Quarantine Branch.  
4

5 Board Member Ley asked if there were trained inspectors on each island and if travel was  
6 required, would there be an additional fee? Ms. Choy answered that there was no specialized  
7 training required and current staff could conduct the inspections to check if rules and statutes  
8 were being followed. She was not sure about the availability of personnel on each island.

9 Board Member Mina asked why fees were being added when the legislature did not require  
10 fees. Ms. Choy answered that USDA does not require fees to have a license to grow but the  
11 department is required to monitor tasks outside of growing and the tasks need to be done with  
12 current personnel.  
13

14 Board Member Mina stated that because one farm does not have a good relationship with the  
15 community, the farmers and the community will suffer. He reiterated that the regulations for  
16 sound have not been reviewed for many years. Chair referred to Aja Eyre's testimony regarding  
17 noise issues. Ms. Choy explained that Mr. Toma of the Department of Health, said existing  
18 regulations are set by the DOH statutes, Title 11, Chapter 46 but the issues of low frequency  
19 and constant noise is a new science that has not been vetted and is a matter that should be  
20 dealt with legislatively.  
21

22 Board Member Evans asked why the DOA requires reporting of transportation as it appears that  
23 a USDA license imposes transportation restrictions. She questioned whether it was a concern  
24 that the plant could be confused with the THC variant and why law enforcement was included in  
25 enforcement if it is not a controlled substance? Ms. Choy replied that the USDA does not have  
26 specific transportation requirements, but it is required by Act 014 so the department needs to  
27 address it via the rules. She agreed that hemp does look visually the same as marijuana  
28 therefore the transport of hemp needs to be monitored because a crossover cannot be  
29 determined unless there is testing and is the reason law enforcement should be able to  
30 participate.  
31

32 Board Member Cowell questioned whether penalties in section 5 are only related to what is  
33 stated in the rules and if there is a DOH noise complaint, would DOA be authorized to collect  
34 the fine? The fees will fall on the farmer but an environment where the farmer can prosper  
35 should be created.  
36

37 Board Member Case made a statement and DAG Yee confirmed that this is a new industry,  
38 interim rules are required and would be eventually followed by full rules.  
39

40 Board Member Case commented that there is one nuisance situation that is unresolved. All  
41 farmers new to hemp will have a buffer requirement that existing farms do not. To be fair, she  
42 suggested checking with DOH to find out the distance that the new growers would match the  
43 decibel requirements of the existing growers. If the growers can resolve the situation, it may not  
44 be necessary to address the issue in the final rules. If it is not resolved, then something can be  
45 added to help the situation. She stated that this is agricultural land that we don't want turned  
46 into residential neighborhoods. The problem grower should be motivated to resolve the  
47 situation, otherwise, it can be addressed in the final rules.

1  
2 Board Member Tanaka asked DAG Yee if the USDA issues the license, the state could take it  
3 away. Mr. Yee explained that the USDA issues a license for growing and the state does not  
4 take a license to grow. The rules provide a license to transport. Board Member Tanaka asked  
5 if amending rules is an act of taking. DAG Yee said that regulatory structure is necessary for  
6 public health and safety did not agree that it was an act of taking. Board Member Tanaka stated  
7 if the rules are passed, the residents would not be satisfied. He asked if Chair could request  
8 that the grower negotiate with the residents

9  
10 Chair addressed Mr. Iosua to ask South Maui Gardens to try and resolve the issue. Mr. Iosua  
11 acknowledged that they would like to work with the community and have taken sound mitigation  
12 efforts and again referred to the inspection report.

13  
14 Board member Comerford said that there is a need to realize that the 500-foot buffer is arbitrary  
15 and has nothing to do with the noise values and there was a lot of information presented on  
16 health issues around noise. He recommended that the Board accept the interim  
17 recommendations now but include that DOH and DOA staff come up with reasonable noise,  
18 smell and light recommendations based on best science possible to protect people living in the  
19 area.

20  
21 The original motion was amended by Board Member Evans.  
22 Amended motion: To accept the interim rules as stated and ask DOA staff to develop rules  
23 relating to noise, smell, and lights by January 31, 2021 and work with other department  
24 agencies to make rules based on the best science available.

25  
26 Motion to approve amended motion: Evans/Tanaka

27  
28 Board Member Mina voiced displeasure about Mr. Iosua's response to the Chair's request.

29  
30 Vote: Approved, 10-0 (w/reservations: Mina and Cabral)

31  
32 Board Member Cabral asked that staff also look at concerns raised by farmers regarding fees  
33 for inspection and other concerns on added costs of operation.

34  
35  
36 V. OLD BUSINESS  
37 None

38  
39  
40 VI. NEW BUSINESS  
41 1. Discussion and possible decision-making on the Coffee Berry Borer situation on  
42 Kaua'i and Lana'i.

43  
44 Board Member Cowell reported that the Coffee Berry Borer (CBB) was detected on Kauai three  
45 weeks ago by a non-commercial farmer. The insect was reported to the Kauai Invasive Species  
46 Council, DOA, and CTAHR who assessed the reported sites and other sites. Within a few  
47 weeks, CBB was also detected on Lanai. He voiced concern over the speed of the response

1 and spoke of the need for coffee growers to adapt what others who have been in their situation  
2 have done as the invasive species has changed the way that they do business.

3  
4 Chair said that the department was the 3<sup>rd</sup> agency to be contacted and acknowledged that the  
5 department needs to inform the public how to report more quickly.

6  
7 Ms. Becky Azama, Manager of the Plant Pest Control Branch said that they have been working  
8 on a written response; having a branch well-informed on how to react in different scenarios is  
9 important. She said that one of the factors involved is that staff is not always able to access a  
10 site to survey or monitor right away.

11  
12 Mr. Jonathan Ho, Acting Plant Quarantine Manager said that the relationship between DOA and  
13 CTAHR is not as cohesive as in the past due to personnel changes. He is part of the Early  
14 Detection Rapid Response Working Group and they recognize that reestablishing  
15 communication is important. He continued, when the interim rules for CBB were made, they  
16 recognized that uninfected islands could be affected in transit. He added that quarantine is not  
17 perfect but there is also a need to determine how to deal with the situation regulatorily.

18  
19 Board Member Cowell said that he would like to meet with the teams that responded, as a  
20 citizen, to discuss the response and determine what worked and what didn't work as a lesson  
21 on how to deal with future incidents.

22  
23 Dr. Kevin Hoffman, HDOA/PI reviewed the response timeline. HDOA received the sample on  
24 September 3<sup>rd</sup> and CBB was positively identified on September 4<sup>th</sup>. Staff responded that day to  
25 the collection site and informed Kauai Coffee. He reported that there are only 2 staff on Kauai  
26 and over 2 weeks, they teamed with CTAHR and Kauai Invasive Species Committee to survey  
27 the residential area around the find. In addition, Mr. Cowell's staff also surveyed their coffee.  
28 They acted quickly but unfortunately CBB was already in several locations and would be difficult  
29 to eradicate. He agreed with Mr. Ho regarding evaluating interisland restrictions and extended  
30 appreciation to Kauai Coffee and Mr. Cowell for their assistance during the initial response.

31  
32 Board Member Young stated that there is community concern over the fragility of the  
33 environment on Lanai and a voluntary quarantine of agricultural supplies is in effect. He  
34 expressed concern that there is an inability to track what brought is in on household goods and  
35 asked if the department could disseminate traps or something that the farmers could use to  
36 collect samples to assist the department.

37  
38 Board Member Case commented that vectors are in green coffee beans and materials that have  
39 carried the beans like burlap bags that are reused. She said to take a careful look at restrictions  
40 that need to be upgraded to prevent further distribution.

41  
42 Mr. Ho reviewed procedures for shipping.

43  
44 Public comment: None

45  
46

- 1           2. Announcement without discussion of upcoming agenda items (e.g., delegation of  
2           authority to the Chairperson).  
3

4 Chair announced that the delegation of authority from the Board to the Chair to act on certain  
5 items, such as fencing on leased property, would be placed on next meeting's agenda. Based  
6 on the administrative rule of various programs, the submission would note what the Chair is  
7 delegated to do and the Board's authority on policy.  
8

9 Public comment: None  
10

11 VII.     ADJOURNEMENT OF MEETING  
12

13 The meeting was adjourned at 12:51 p.m.  
14  
15

16 Respectfully submitted,  
17  
18

19  
20  
21 Jan Ferrer  
22 Board Secretary  
23  
24  
25  
26

DRAFT