

AGENDA
BOARD OF AGRICULTURE MEETING

Date: January 25, 2022
Time: 9:00 a.m.
Place: Virtual Videoconference Meeting – ZOOM Webinar (use link below)
<https://zoom.us/j/99939099011>

Or One tap mobile :

US: +13462487799,,99939099011# or +16699006833,,99939099011#

Or Telephone:

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Webinar ID: 999 3909 9011

International numbers available: <https://zoom.us/u/adJFiIVGIU>

In light of the COVID-19 pandemic, protecting the health and safety of the community is of utmost concern. Members of the public may submit written testimony via e-mail to: HDOA.BOARD.TESTIMONY@HAWAII.GOV, via postal mail to the BOA Chairperson's Office at 1428 S. King Street, Honolulu, HI 96814-2512; or via fax to the BOA Chairperson at (808)973-9613. Please include the word "testimony" and the subject matter following the address line. All written testimony should be received no later than 4:30 pm on Monday, January 24, 2022.

Copies of the Board Packet will be available for on-line review at:
<http://hdoa.hawaii.gov/meetings-reports/>.

INTERNET ACCESS:

*To view the meeting and provide live oral testimony during the meeting, please use the above link. You will be asked to enter your name in order to access the meeting as an attendee. The Board requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will also be asked for an email address. You may fill in this field with any entry in an email format, e.g., *****@***mail.com.*

As an attendee, your microphone will be automatically muted during the meeting unless you are providing testimony. For each agenda item you wish to testify on, please click the Raise Hand button found on your Zoom screen. Board staff will individually enable each testifier to unmute their microphone. When recognized by the Chair, please unmute your microphone before speaking and mute your microphone after you finish speaking in order to prevent audio feedback. When testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to two minutes of testimony per agenda item.

PHONE ACCESS:

If you cannot get internet access, you may get audio-only access by calling the Zoom Phone Number listed at the top on the agenda.

Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed at the top of the agenda. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. You will not have a panelist number. So, please wait until you are admitted into the meeting.

When the Chairperson asks for public testimony, you may indicate you want to testify by entering "#" and then "9" on your phone's keypad. After entering "#" and then "9", a voice prompt will let you know that the host of the meeting has been notified.

When recognized by the Chairperson, you may unmute yourself by pressing "#" and then "6" on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter "#" and then "6" again to mute yourself.

For both internet and phone access, when testifying, you will be asked To identify yourself and the organization, if any, that you represent. Each testifier will be limited to two minutes of testimony per agenda item.

I. CALL TO ORDER

II. APPROVAL OF MINUTES FROM 11/30/21 MEETING

III. INTRODUCTIONS

IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

1. Request for Consent to Assignment of General Lease Nos. S-9015 and S-9020; Agrigenetics Molokai LLC, Lessee/Assignor, to Friendly Isle Growing Services Corporation, Assignee; TMK: (2) 5-2-001:023 and 028; Molokai Agricultural Park, Lots 14 & 19, Island of Molokai, Maui County, Hawaii
2. Request for: 1) Consent to Assignment of General Lease No. S-4927; Vanxay Bounlangsy, Lessee/Assignor, to Sumitra Viyanan Barton, Assignee; and 2) Approval of Extension of Lease; TMK: (1) 4-1-035:006, Waimanalo Agricultural Park Lot 6, Koolaupoko, Waimanalo, Island of Oahu, Hawaii
3. Request for Consent to Assignment of General Lease No. S-4428; Brian Conners Bushe and Jennifer Tamashiro-Bushe, Lessee/Assignor, to Shane Castillo Jr., Assignee; TMK: 3rd DIV/1-5-116:014, Lot 14, Pahoia Agricultural Park Island of Hawaii, Hawaii
4. Request for Approval to Sublease between the Hamakua Agricultural Cooperative, Lessee/Sublessor, and William Beach, Sublessee; General Lease No. S-5551, TMK: 3rd DIV/ 4-6-003:001, 002, and 020 (por), Lot S.01 and 2A, Honokaia Makai Tract, Hamakua, Island of Hawaii
5. Request for Consent to Assignment of General Lease No. S-4859; Henry Cho, SR. (deceased), Lessee/Assignor; Dean Maruyama, Assignee; TMK:3rd DIV/ 7-3-049:004, Lot No. 04, Keahole Agricultural Park, Phase I, North Kona District, Island of Hawaii, State of Hawaii
6. Request Approval to terminate General Lease No.(s) S-4366; Paul H. Mayeda, Lessee; TMK: 3rd DIV/ 2-4-049:006, Lot No. 22, and S-4637; Panaewa Tropicals, Inc., Lessee; TMK: 3rd DIV/ 2-4-049:004, Lot No. 20, Panaewa Farm Lots Subdivision, Waiakea, South Hilo, Island of Hawaii, Hawaii
7. Request for Consent to Assignment of General Lease No. S-4205 Flowers, Incorporated, Lessee/Assignor, to Kohala Plants, Inc., Assignee, TMK: 3rd DIV/ 2-4-049:031, Lot 31, Panaewa Farm Lots Subdivision, Waiakea, South Hilo, Hawaii, Hawaii

B. PLANT INDUSTRY DIVISION

Plant Quarantine Branch

1. Request to: (1) Preliminarily Approve a Change in the List Placement of the Fungus *Beauveria bassiana* strain ANT-03, From the List of Restricted Microorganisms (Part A), to the List of Nonrestricted Microorganisms, for use in a Microbial Bio-Remediation Product; and (2) Authorize the Chairperson to Schedule a Public Hearing and Appoint a Hearing Officer in Connection with the Proposed Amendments to Chapter 4-71A, as Described in (1), Above.
2. Request to: (1) Allow the Importation of Avocado Root Rot, *Phytophthora cinnamomi*, a Fungus on the List of Restricted Microorganisms (Part A), for Laboratory Research Including Plant Inoculation, by the University of Hawaii, by Permit; and (2) Establish Permit Conditions for the Importation of Avocado Root Rot, *Phytophthora cinnamomi*, a Fungus on the List of Restricted Microorganisms (Part A), for Laboratory Research Including Plant Inoculation, by the University of Hawaii, by Permit.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

1. Advice and Council by the Deputy Attorney General on Packers & Stockyards Act 1921.
2. Update on the Department's proposed budget (Link: https://www.capitol.hawaii.gov/session2022/testimony/Info_Testimony_WAM-AEN_01-14-22_AGR.pdf) and the following proposed administrative measures.
 - a. Important Ag Lands (IAL) Tax Credit Extension – to restore and extend the IAL Qualified Agricultural Cost Tax Credit by 10 years starting from the 2022 tax year. Extend coverage to the beginning of the year 2022 and not from the date of approval.
 - b. A Bill for an Act Relating to the Advisory Committee on Pesticides – To remove the statutory requirement for representatives of the pineapple and sugar industries and add a statutory requirement for representatives of the coffee and diversified agriculture industries on the Advisory Committee on Pesticides.
 - c. Hemp – Amend Act 14 to provide continuity of the regulatory authority for the department of agriculture to implement its responsibilities regarding hemp production.
 - d. Agricultural Loan emergency Loan Fund – To develop a permanent loan fund to assist the agricultural community to recover from natural disasters, droughts, fires, economic emergencies, transportation disruptions and crop blights and diseases.
 - e. A Bill for an Act Relating to the Animal Industry Special Fund – Amend section 142-3.6, HRS to add new sources of revenue generated by the state veterinary laboratory and animal disease control branch to be deposited into the animal industry division special fund. Revenue to be used to expand capabilities of the State Veterinary Laboratory.

****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.***

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 3 business days prior to the meeting so arrangements can be made.

The Hawai'i Department of Agriculture does not discriminate on the basis of race, color, sex, national origin, age, or disability, or any other class as protected under applicable federal or state law, in administration of its programs, or activities, and the Department of Agriculture does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.

If you have any questions about this notice or any of the Department's non-discrimination programs, policies, or procedures, you may contact:

*Morris Atta, Acting Non-Discrimination Coordinator
Hawai'i Department of Agriculture, 1428 S. King Street, Honolulu, HI 96814,
(808) 973-9553, hdoa.titlevi@hawaii.gov*

If you believe that you have been discriminated against with respect to a Department of Agriculture program or activity, you may contact the Acting Non-Discrimination Coordinator identified above.

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. Please allow sufficient time for HDOA to meet accommodation requests.

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