

**AGENDA**  
**BOARD OF AGRICULTURE MEETING**

**Date:** October 11, 2022  
**Time:** 9:00 a.m.  
**Place:** In person access - Department of Agriculture  
Hale Waiolama Board Room  
1428 South King Street  
Honolulu, Hawaii 96814-2512

**and**

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[HDOA.BOARD.TESTIMONY@HAWAII.GOV](mailto: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 Friday, October 7, 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.*

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## IN-PERSON ACCESS:

*There will also be one meeting location, open to the public, which will have an audio-visual connection. That meeting will be held at:*

*State of Hawaii, Department of Agriculture  
Hale Waiolama Board Room  
1428 South King Street  
Honolulu, Hawaii 96814-2512*

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- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 8/23/22 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
  - A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
    1. Request for 1) Consent to Assignment of General Lease No. S-4762; Jack I. Branco, Lessee/Assignor; to Scot Aiona, Assignee; and 2) Approval to Amend General Lease No. S-4762; TMK: 3<sup>rd</sup> Div/2-2-056:041, Lot 15, Panaewa Agricultural Park, Waiakea, South Hilo, Island of Hawaii, Hawaii
    2. Request for Approval for Farm Dwelling, General Lease No. S-6012; Oudom Piasourapanya, Lessee; TMK: (1) 5-6-006:040; Lot 12, Kahuku Agricultural Park, Koolauloa, Kahuku, Island of Oahu, Hawaii
    3. Request for: 1) Consent to Assignment of General Lease No. S-4933; Alvin M. Tsuruda, Lessee/Assignor, to Ahiki Acres, LLC, Assignee; and 2) Approval to Amend General Lease No. S-4933; TMK: (1) 4-1-035:012; Lot 12, Waimanalo Agricultural Park, Koolaupoko, Waimanalo, Island of Oahu, Hawaii
    4. Request for Consent to Assignment of General Lease No. S-9013; Launnie L. Ginn, Lessee/Assignor, to Kumu Farms, LLC, Assignee; TMK: (2) 5-2-001:021; Molokai Agricultural Park, Lot 12, Island of Molokai, Maui County, Hawaii
    5. Discussion and Action on Senate Concurrent Resolution No. 76, Requesting the Board of Agriculture to Prohibit Unapproved Residential Use of Farm Dwellings in Agricultural Parks
  - B. ANIMAL INDUSTRY DIVISION
    1. Request for Approval of Amended and Restated Right-of-Entry in Favor of the Board of Water Supply, Previously Approved by the Board on August 23, 2016, to Install Two Monitoring Wells on the Animal Quarantine Station Property at TMK: (1) 9-9-010:058.
    2. Request for Approval to (1) Adopt Proposed Amendments to Chapter 4-16, Hawaii Administrative Rules, entitled "Cattle, Sheep and Goats" Concerning: Objective, Construction of Rules, Subchapters, Definitions, Quarantine-general, Quarantine area-feedlot, Quarantine area-slaughterhouse, Regulatory jurisdiction on importations, Entry status on imports, Ports of entry, Carrier responsibility on importations, Use of quarantine station facilities, Regulatory jurisdiction on exports; Subchapter 2 Cattle, Scope, Pre-shipment entry requirements, Post-shipment entry requirements, Anaplasmosis surveillance, control, and eradication, Brucellosis surveillance, control, and eradication, Vaccination for brucellosis prohibited; exceptions, Tuberculosis control and eradication; Subchapter 3 Sheep, Scope, Pre-shipment entry requirements, Post-shipment entry requirements; Subchapter 4 Goats, Scope, Pre-shipment entry requirements, Post-shipment entry requirements; and (2) Submission of Hearings Officers Summary of Public Hearings Testimony on Proposed

Amendments to Chapter 4-16, Hawaii Administrative Rules, and Hearings Officers' Recommendation.

(Summary of amendments are attached)

### C. PLANT INDUSTRY DIVISION

1. Request for Preliminary Review and Approval of the Petition from the Hawaii Department of Land and Natural Resources, Division of Aquatic Resources, to Initiate Administrative Rule Making and Rule Amendment to Chapter 4-71, Hawaii Administrative Rules, to Place the Unlisted Northern Largemouth Bass, *Micropterus salmoides salmoides*, on the List of Restricted Animals (Part A) for ecosystem and fishery impact research for the Wahiawa Public Fishing Area.
2. Resubmittal of a Request to: (1) Preliminarily Review the Currently Unlisted Beetle, *Syphraea uberabensis* (Coleoptera: Chrysomelidae) for Future Placement on the List of Restricted Animals (Part A) As a Biocontrol Agent of *Tibouchina herbacea* and Other Related Species in the Family Melastomataceae, by the United States Department of Agriculture Forest Service (USDA FS);  
  
(2) Provided the Beetle *Syphraea uberabensis* is Placed on the List of Restricted Animals (Part A), Allow the Release from Laboratory Quarantine of the beetle *Syphraea uberabensis*, by Permit, For Biocontrol of *Tibouchina herbacea* and Other Related Species in the Family Melastomataceae by USDA FS;  
  
(3) Provided the Beetle *Syphraea uberabensis* is Placed on the List of Restricted Animals (Part A), Allow the Importation and Release of the Beetle *Syphraea uberabensis*, by Permit, For Biocontrol of *Tibouchina herbacea* and Other Related Species in the Family Melastomataceae, by the USDA FS;  
  
(4) Provided the Beetle *Syphraea uberabensis* is Placed on the List of Restricted Animals (Part A), Establish Permit Conditions For the Importation and Release of the Beetle *Syphraea uberabensis* As a Biocontrol Agent of *Tibouchina herbacea* and Other Related Species in the Family Melastomataceae, by the USDA FS; and  
  
(5) Provided the Beetle *Syphraea uberabensis* is Placed on the List of Restricted Animals (Part A), Authorize the Chairperson to Schedule a Public Hearing and Appoint a Hearing Officer in Connection with the Proposed Amendments to Chapter 4-71, HAR.

### V. OLD BUSINESS

None.

### VI. NEW BUSINESS

1. Discussion and Decision Making on Delegation of Authority to the Chairperson to Deny Petitions Requesting the Initiation of Rulemaking to Ensure Compliance with the Thirty Day Notification Requirements in section 4-1-23 and 4-1-24, Hawaii Administrative Rules.
2. Update on the Plant Quarantine Branch's Inspection Program and Port of Entry Protection Activities Including Information on the Recent Federal Activity for Inspection of Invasive Pests.

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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.**

*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.*

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*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](mailto: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.*

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## Summary of Specific Changes Recommended to Chapter 4-16, HAR:

1. Chapter 4-16 title is amended by adding "Bison, Water Buffalo, Camelids." Subchapter 2 title is amended by adding "Bison, Water Buffalo." Subchapter 4 title is amended by adding "Camelids."
2. Section 4-16-1, Objective. "Bison, Water Buffalo, Camelids" is added and section simplified.
3. Section 4-16-3, Subchapters is amended to add "bison, water buffalo, camelids."
4. Amending Section 4-29-2 "Definitions."
  - a. Expand the definition of "Animals."
  - b. The definition "APHIS" is added.
  - c. The definition "Board" is simplified.
  - d. The definition "Carrier" is clarified.
  - e. The definition "Certificate of Veterinary Inspection" or "CVI" is added.
  - f. The definition "Chairperson" is simplified.
  - g. The definition "Contact" is added.
  - h. The definition "Department" is simplified.
  - i. The definition "Division head" is simplified.
  - j. The definition "Domestic animals" is expanded.
  - k. The definition "Entry" is added.
  - l. The definition "Hold order" is added.
  - m. The definition "Health Certificate" is clarified and relocated according to alphabetization.
  - n. The definition "Inspector" is expanded.
  - o. The definition "Official vaccinate" is updated.
  - p. The definition "Polymerase chain reaction" or "PCR" is added.
  - q. The definition "Premises" is replaced with "Premise".
  - r. The definition "Provisional quarantine" is deleted.
  - s. The definition "Quarantine" is clarified.
  - t. The definition "Shipmaster's declaration" is clarified.
  - u. The definition "State veterinarian" is updated.
  - v. The definition "Vaccine" is clarified.
5. Amending Section 4-16-5 Quarantine-general by adding "population of animals" and deleting "his."
6. Amending Section 4-16-6 Quarantine area-feedlot. Clarifies newborn management.
7. Amending Section 4-16-7 Quarantine area-slaughterhouse by clarifying movement.
8. Amending Section 4-16-8 Regulatory jurisdiction on importations. Bison, Water Buffalo and Camelids are added.
9. Amending Section 4-16-9 Entry status on imports. Bison, Water Buffalo and Camelids are added and permitting requirement for Plant Quarantine branch added.
10. Amending Section 4-16-10 Ports of entry. Ports are clarified by species and Bison, Water Buffalo, and Camelids species are added.
11. Amending Section 4-16-11 Carrier responsibility on importation.
  - a. Section title is simplified by eliminating "on importation."
  - b. Bison, Water Buffalo and Camelids are added.
  - c. Intrastate transport requirements are added for loading, unloading, ventilation, food and water, shipping container standards and density.
  - d. Correct an omission in a portion of the table for in Exhibit A for Interisland Livestock Shipping Standards for Sheep and Goats and is added back.
12. Amending Section 4-16-12 Use of quarantine station facilities. Bison, Water Buffalo and Camelids are added and responsibilities of owner are clarified.

13. Amending Section 4-16-13 Regulatory jurisdiction on exports. Livestock certificates of veterinary inspection issued in Hawaii is clarified.
14. Amending Subchapter 2 title "Cattle" is amended to add "Bison, Water Buffalo."
15. Amending Section 4-16-14 Scope. Adding Bison and Water buffalo is proposed.
16. Amending Section 4-16-15 Pre-shipment entry requirements.
  - a. Import permitting is clarified.
  - b. Trichomoniasis requirements are added.
  - c. Certificate of veterinary inspection details are clarified.
17. Amending Section 4-16-16 Post-shipment entry requirements. Amendments are proposed to:
  - a. Specify post-shipping testing.
  - b. Detail quarantine site.
  - c. Correct terminology changing "symptoms" to "signs."
18. Amending Section 4-16-17 Anaplasmosis surveillance, control and eradication.is amended to clarify Anaplasmosis testing and management.
19. Amending Section 4-16-18 Brucellosis surveillance, control, and eradication is amended to clarify testing and case management.
20. Amending Section 4-16-19 Control of Vaccination for Brucellosis is clarified.
21. Amending Section 4-16-20 Tuberculosis control and eradication procedures are clarified and test reactor management is updated.
22. A new Section 4-16-20.1 Trichomoniasis control and eradication is proposed to address import and management requirements for this disease.
23. A new Section 4-16-20.2 Diseases and investigation is proposed to detail disease investigations and subsequent case management.
24. Amending Section 4-16-22 Pre-shipment entry requirements is updated to add Scrapie and clarify entry requirements.
25. Amending Section 4-16-23 Post-shipment entry requirements is corrected by replacing "they" with "animals."
26. Amending Subchapter 4 title "Goats" is amended to add "Camelids."
27. Amending Section 4-16-24 (a) Scope is amended to add "and Camelids."
28. Amending Section 4-16-25 Pre-shipment entry requirements.
  - a. "Camelids" is added to "Goats" in the section.
  - b. "Health certificate" is replaced with "Certificate of Veterinary Inspection" for clarity.
  - c. "Scrapie" is added to the list of diseases an imported animal's herd of origin may not be under quarantine for.
  - d. "official USDA" is added to "eartag" to specify acceptable tags.
  - e. Ectoparasite treatment is specified.
29. Other changes are proposed throughout Chapter 4-16 for clarity, simplification or to correct format, grammar and punctuation.