

AGENDA
BOARD OF AGRICULTURE MEETING

Date: November 29, 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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- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 10/11/22 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
 - A. ANIMAL INDUSTRY DIVISION
 1. Request for Approval of a Right-of-Entry (ROE) in favor of the US Navy to Conduct a Site Survey and Utilities Toning for a Monitor Well and Laydown Area on the Animal Quarantine Station Property
 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)
 - B. AGRICULTURAL LOAN DIVISION
 1. Request for Approval of One (1) New Farmer Loan to Sigfrido Valdovinos Ramos and Angela Magana Ortiz, co-borrowers.
 2. Request for Approval of One (1) Emergency Loan to Jamie Shishido.
 3. Request that Three (3) Loans to Hali’imaile Pineapple Company, Ltd. be Referred to the Attorney General’s Office for Disposition and/or Collection.
 4. Request for Approval of One (1) Emergency Loan to Oko’a Farms Inc.

C. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

1. Request for Acceptance of Annual Lease Rents as Determined by Independent Appraisal for Rent Reopenings and Vacant Land for Various Lots Located Statewide; TMK Nos.: (1) 4-1-010:005, 008, 030, 037, 038, 039, 044; (1) 4-1-018:047, 051; (1) 4-1-026:015; (1) 4-1-027:011, 014; (1) 4-1-035:007, 014; (1) 5-6-006:032; (1) 8-5-005:009; (1) 9-1-031:025; (2) 5-2-001:011, 012, 014, 017, 023, 027, 028; (4) 1-9-001:011; (4) 4-1-002:012, 018; (4) 4-3-004:001, 014, 017; (4) 4-4-004:004, 051; (4) 4-5-015:008; (3) 1-5-116:001, 003, 005, 007, 012, 013, 015, 017, 018, 020, 028, 029, 030, 032, 033, 036, 037, 038, 039, 040, 041, 043, 044, 046, 047, 048, 051, 053, 054, 056, 057, 058, 059, 060, 062; (3) 1-9-001:018; (3) 2-2-056:033, 046, 047, 048, 049, 050, 051, 052, 053, 054; (3) 2-4-049:004, 006, 017; (3) 4-6-002:001; (3) 5-5-007:011; (3) 5-9-002:006; (3) 6-6-005:028; (3) 7-3-049:017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 031, 032, 033; 034, 035
2. Request for Approval to Withdraw Three Encumbered Land Parcels from Governor's Executive Order No. 4535 and Re-set Aside to the Department of Land and Natural Resources Pursuant to Act 90, SLH 2003, Codified as Chapter 166E, Hawaii Revised Statutes, TMK Nos.: (1) 4-1-008:054 and 059, and (1) 4-1-010:004, Island of Oahu, Hawaii
3. Request Approval for Conversion of Revocable Permit No. S-6814 to a New General Lease for Ronald P. Weidenbach dba Hawaii Fish Company; TMK Nos: (1) 6-9-001:002, 003 and 036; Kaena, Waialua, Island of Oahu, Hawaii
4. Request to Terminate General Lease No. S-3109, Milton Coleman, Jr., Lessee; Issue Cancellation Document, and Disposition of Lot; TMK: (1) 4-1-018:048, Koolaupoko, Waimanalo, Island of Oahu, Hawaii
5. Resubmittal - Request for Consent to Assignment of General Lease No. S-9013; Launnie L. Ginn, Lessee/Assignor, Kumu Farms, LLC, Assignee; TMK: (2) 5-2-001:021; Molokai Agricultural Park, Lot 12, Island of Molokai, Maui County, Hawaii
6. Request to: 1) Terminate General Lease No. S-9001, Jane Kelly LaVoie, Lessee; Issue Cancellation Document, and Disposition of Lot 2; and (2) Rescind Approval of Farm Dwelling; TMK: 2nd Div/5-2-001:011, Lot No. 2, Molokai Agricultural Park, Hoolehua, Island of Molokai, Hawaii
7. Request to Terminate General Lease No. S-1008, Creighton Mow and Elton Mow, Lessee; Issue Cancellation Document, and Disposition of Lot; TMK: (1) 8-5-034:008, Waianae Agricultural Park, Lot 8, Waianae, Island of Oahu, Hawaii

D. AGRICULTURAL DEVELOPMENT DIVISION

1. Request for (1) Preliminary Approval of Proposed Adoption of Chapter 4-61, Hawaii Administrative Rules, entitled "Food Hub Grant Program" Concerning: Rules of General Applicability, and Eligibility and Selection Process; Subchapter 1 Purpose, Definitions, Purpose of Program, Grant; Purpose; Use of; and Subchapter 2 Eligibility Requirements, Application Procedure, Consideration and Review of Applications, Preferences and Priorities in Making Grants, Maximum Grant Amount; Disbursement, and Acknowledgement and (2) Authorization of the Chairperson to Schedule Public Hearings and to Appoint a Hearing Officer.

E. PLANT INDUSTRY DIVISION

Pesticides Branch

1. Request that the Final Order for In the Matter of J.TEX FARM, INC. and JUSTIN TEIXEIRA, Docket No. 22-PE-023, be Referred to the Attorney General for Collection.
2. Request that the Final Order for In the Matter of CHUAN PRODUCE, INC. and PAU CUN CHI, Docket No. 20-PE-109, be Referred to the Attorney General for

Collection.

Plant Quarantine Branch

3. Request to: (1) Preliminarily Review the Currently Unlisted Moth, *Euselasia chrysippe* (Lepidoptera: Riodinidae) for Future Placement on the List of Restricted Animals (Part A) As a Biocontrol Agent of *Miconia calvescens* by the United States Department of Agriculture Forest Service (USDA FS);

 (2) Provided the Moth, *Euselasia chrysippe* is Placed on the List of Restricted Animals (Part A), Allow the Release from Laboratory Quarantine of the Moth, *Euselasia chrysippe*, by Permit, For Biocontrol of *Miconia calvescens* by USDA FS;

 (3) Provided the Moth *Euselasia chrysippe* is Placed on the List of Restricted Animals (Part A), Allow the Importation, Possession, and Release of *Euselasia chrysippe*, by Permit, For Biocontrol of *Miconia calvescens*, by the USDA FS;

 (4) Provided the Moth *Euselasia chrysippe* is Placed on the List of Restricted Animals (Part A), Establish Permit Conditions for the Importation and Release of *Euselasia chrysippe* As a Biocontrol Agent of *Miconia calvescens*, by the USDA FS; and

 (5) Authorize the Chairperson to Schedule a Public Hearing and Appoint a Hearing Officer in Connection with the Proposed Amendments to Chapter 4-71, HAR to Place the Unlisted Moth, *Euselasia chrysippe* on the List of Restricted Animals (Part A).
4. Request to Review the Request from Dr. Michael Melzer, University of Hawaii, to Shorten or Exempt the Duration of Quarantine for Coffee Leaf Rust-Resistant Coffee Plants, *Coffea* spp., Subject to Alternative Propagation or Import Procedures, Pursuant to Chapter 4-70-6, Hawaii Administrative Rules.
5. Request to Review the Request from David Smith, Department of Land and Natural Resources, to Designate the Kahului Airport on Maui and the Lihue Airport on Kauai as Additional Ports of Entry, Pursuant to Chapter 150A-5(10), Hawaii Revised Statutes, for the Importation of the Southern House Mosquito, *Culex quinquefasciatus* Inoculated with *Wolbachia* Bacteria, for Mosquito Suppression.

V. OLD BUSINESS
None.

VI. NEW BUSINESS
None.

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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.**

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*Morris Atta, Acting Non-Discrimination Coordinator  
Hawai'i Department of Agriculture, 1428 S. King Street, Honolulu, HI 96814,  
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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 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, 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.
  - e. "Load densities shall not deviate by greater than 10% of the maximum load densities listed in interisland space requirements by species listed." is deleted.

12. Amending Section 4-16-12, Use of quarantine station facilities. Bison, Water Buffalo and Camelids are added and responsibilities of owner 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 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.