

AGENDA
BOARD OF AGRICULTURE MEETING

Date: February 28, 2023
Time: 9:00 a.m.
Place: In person access - Department of Agriculture
Plant Quarantine Branch
1849 Auiki Street
Honolulu, Hawaii 96819-3100

and

Please click the link below to join the webinar:

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*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 Thursday, February 23, 2023.*

*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.

In the event that connectivity is lost, and attempts to repair the connection exceed thirty minutes, the meeting may be terminated or continued to another date and time. Consult the webpage for updated information.

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
Plant Quarantine Branch
1849 Auiki Street
Honolulu, Hawaii 96819-3100*

For internet, telephone, and in-person access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to one minute of testimony per agenda item.

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 1/31/23 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
 - A. AGRICULTURAL LOAN DIVISION
 1. Request for Approval of One (1) Emergency Loan and One (1) Operating Loan to Diamond B Ranch, LLC and Brendan L. Balthazar, Co-Borrowers.
 - B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
 1. Request for Approval to Withdraw TMK Parcel (1) 4-1-010:004, Koolaupoko, Waimanalo, Island of Oahu, Hawaii, 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
 2. Request for Approval To Issue Revocable Permit (RP) To Molokai Livestock Homestead Association (MLHS); TMK: (2) 5-2-001:017, Molokai Agricultural Park, Hoolehua, Island of Molokai, Hawaii
 3. Request to Approve Rental Offset, General Lease No. S-1001; Hawaii Golden Farm LLC, Lessee; TMK: (1) 8-5-034:001, Lot 1, Waianae Agricultural Park, Waianae, Island of Oahu, Hawaii
 - C. PLANT INDUSTRY DIVISION

Pesticides Branch

 1. Request that the Final Order for In the Matter of Alii Pest Management and Louie Louis, Docket No. 20-PE-025, be Referred to the Attorney General for Collection.
 2. Request that the Final Order for In the Matter of Big Island Ag Products, LLC and Tung Huynh, Docket No. 22-PE-050, be Referred to the Attorney General for Collection.

Plant Quarantine Branch

1. Request for: (1) Preliminary Approval of the Proposed Changes to Hawaii Administrative Rules, Chapter 4-71, 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 by the Hawaii Department of Land and Natural Resources, Division of Aquatic Resources, and (2) Authorization for the Chairperson to Schedule Public Hearings and Appoint One or More Hearings Officers in Connection With the Proposed Amendments to Chapter 4-71, Hawaii Administrative Rules.
2. Request to: (1) Allow the Importation of Maize chlorotic mottle virus (MCMV), a Virus on the List of Restricted Microorganisms Part A, by Permit, for Laboratory Work and Shade House Inoculations by Pioneer Hi-Bred International, Inc.; and (2) Establish Permit Conditions for the Importation of Maize chlorotic mottle virus (MCMV), a Virus on the List of Restricted Microorganisms Part A, for Laboratory Work and Shade House Inoculations by Pioneer Hi-Bred International, Inc.
3. Request for: (1) Preliminary Approval of the Proposed Amendment and Compilation of Hawaii Administrative Rules, Chapter 4-72, entitled "Plant and Non-Domestic Animal Quarantine Plant Intrastate Rules" to among other things: Implement Plant Quarantine Interim Rule 22-1, Regarding Quarantine Restrictions on the Coconut Rhinoceros Beetle (CRB) and CRB host materials; Implement Fees for Inspections and the Processing and Issuance of Permits; Establish Authority to Prohibit the Movement of Infested Materials Within the State; Include Penalties for Non-compliance; Make Other Changes for Clarity or Simplification and Other Non-substantive Changes Correcting Grammar, Punctuation, or Typeface; and (2) Authorization for the Chairperson to Schedule Public Hearings and Appoint One or More Hearings Officers in Connection With the Proposed Amendments to Chapter 4-72, Hawaii Administrative Rules

(See attachment 1 for a summary of the specific proposed changes)

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.***

*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.*

*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](mailto:hdoa.info@hawaii.gov). Please allow sufficient time for HDOA to meet accommodation requests.*

*To request language interpretation for this document, please contact: Language Access Coordinator located at 1428 South King Street, Honolulu, HI 96813 (Phone: 808-973-9496) Email: [hdoa.hr@hawaii.gov](mailto:hdoa.hr@hawaii.gov)). Individuals may request oral interpretation services in order to request a written translation of this document.*

*If you need an auxiliary aid/service or other accommodation due to a disability, contact Morris Atta at (808) 973-9553 or [hdoa.titlevi@hawaii.gov](mailto:hdoa.titlevi@hawaii.gov) as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request, but we cannot guarantee that the request will be fulfilled.*

*Upon request, this notice is available in alternate formats such as large print, or electronic copy.*