



Minutes of the Board of Agriculture
April 25, 2023

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on April 25, 2023, at 9:08 a.m. by Board of Agriculture Chairperson, Sharon Hurd. The meeting was conducted virtually via Zoom and in-person from Plant Quarantine Branch Conference Room located at 1849 Auiki Street, Honolulu, HI 96819.

Members Present:

- Sharon Hurd, Chairperson, Board of Agriculture
Russell Tsuji, Board of Land and Natural Resources, Ex-Officio Member
Mary Alice Evans, Department of Business, Economic Development and Tourism, Ex-Officio Member
Diane Ley, Hawai'i Member
Vincent Mina, Maui Member
Randy Cabral, Member-at-Large
James Gomes, Member-at-Large

Note: Chair Hurd, Board Members Evans, Ley, Cabral, Gomes, and Deputy Attorney General Bryan Yee (joined at 9:10 am) were present, in-person at the conference room located in the Plant Quarantine Branch Conference Room. Board Members Tsuji and Mina joined virtually via Zoom. Board Members Cowell and Young were not present for this meeting.

Others present in the conference room include Paul Shinkawa (Suma Farms), Marci Clingan (HDOA), Janelle Saneishi (HDOA), Stephen Dalton (HDOA), Yong Pak (HDOA), Linda Murai (HDOA), Brandi Ah Yo (HDOA), Kori Koike (HDOA), Roy Hasegawa (HDOA), Wayne Takamine (HDOA), Linda Rosehill (Hawaii Land and Livestock LLC), Bobby Farias (Hawaii Land and Livestock LLC), Aaron Eddington (Hawaii Meats), Mark Wright (University of Hawaii), Scott Enright (Hawaii Meats), Jonathan Ho (HDOA), Chris Kishimoto (HDOA) and Darcy Oishi (HDOA).

Others Virtually Present:1

- AGR-yamamoto,earl
Caleb Houck
Cathy Goggel
Clive
Emma Yuen, DLNR-DOFAW
Hawaii Fish Company Inc.
Janet
Jillian Scheibe
Joseph Weidenbach

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

1 Lani  
2 Lloyd Inouye  
3 Louis Daniele  
4 Mariah Buffa  
5 Mark Ladao  
6 Nicole Galase  
7 Noni Putnam  
8 Suzanne Shriner  
9

10 II. APPROVAL OF MINUTES FROM 4/25/23 MEETING

11  
12 Motion to Approve: Gomes/Tsuji

13  
14 Vote: Approved; 7-0

15  
16 III. INTRODUCTIONS – None.

17  
18 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

19  
20 The meeting did not follow the original presentation order. New Business was presented first  
21 followed by the Agriculture Resource Management Division's presentation.

22  
23 V. NEW BUSINESS

24  
25 A. NON-ACTION ITEM: Update on Compliance with Act 90 (§166E, Hawaii  
26 Revised Statutes), Session Laws of Hawaii 2003, Transfer of Non-Agricultural  
27 Park Lands to State of Hawaii Department of Agriculture.

28  
29 Brandi Ah Yo, Property Manager HDOA, presented update as submitted.

30  
31 Discussion:

32  
33 Emma Yuen from the Department of Land and Natural Resources Division of Forestry and  
34 Wildlife announced that she is available to answer any questions.

35  
36 Lani Petri from Kapapala Ranch commented that she found a discrepancy in the story map on  
37 page 2 and Exhibit B. She talked to Dave Smith this morning informing him that the two maps  
38 are not consistent with the letter she sent to Chair Chang. The ranch would withdraw 7,000  
39 acres for forestry interest which the maps do not represent.

40  
41 Nicole Galase from Hawaii Cattlemen's Council (HCC) commented that they are encouraged  
42 that work is being done to transfer these ag lands from DLNR to DOA. She hopes that she has  
43 the Board's support in accepting these transfers. The HCC advocates for the transfer of all  
44 agricultural lands from DLNR to DOA because they believe that DOA is best suited for  
45 managing these leases to keep them in agriculture.

46  
47 Board Member Cabral asked what is the time frame for Kapapala and KK Ranch?

1 Linda Murai, Property Manager, responded that Ms. Ah Yo has completed the site visit and file  
2 review so the board will approve the transfers first then it will go to DLNR board for approval.  
3 DOA plans to present the transfer for the May meeting.

4  
5 Board Member Cabral asked if the transfer is dependent on surveys being done or will it be  
6 transferred before the surveys are done. Deputy Attorney General commented that to his  
7 understanding, DLNR will not approve without metes and bounds.

8  
9 Board Member Tsuji added that you can get a board approval, but it would be subject to the  
10 survey formed. Board approval can occur earlier subject to the metes and bounds. DOA will be  
11 responsible for the survey.

12  
13 Board Member Gomes asked what is the reason why DLNR is keeping it as an RP. Board  
14 Member Tsuji responded that there would be no reason to do a survey if they were retained as  
15 an RP and for short term use. A survey would be done if you're doing a long-term disposition.  
16 DLNR does not have the authority to do direct leases like DOA so the option would be auction.

17  
18 Board Member Gomes commented that there are 54,000 acres that will be retained by DLNR.  
19 How many of those acres are RPs and what is the duration of it staying as an RP? Ms. Emma  
20 Yuen replied that they sent a correction, and they identified some parcels that were OK to  
21 transfer over to DOA. She added that she will need to calculate how many are RPs and noted  
22 that it's not a large amount by acreage.

23  
24 Board Member Cabral asked if drone surveys are acceptable. Board Member Tsuji replied that  
25 he doesn't know, and the survey will need to be reviewed. Chairperson Hurd added that DOA is  
26 making every effort to secure the surveyors and funding but there is a great demand for  
27 surveyors. The \$5 million dollars that DOA is receiving for Act 90 will be able to go to surveys  
28 and everything we need to implement Act 90.

29  
30 Ms. Emma Yuen stated that there's about 50 individual general leases or RPs that DLNR is  
31 seeking to retain. DOA is being offered 54,000 acres and the remaining 50,000 acres is being  
32 retained by DLNR.

33  
34 Board Member Mina asked what is the total amount of acres that DLNR and DOA have? Ms. Ah  
35 Yo said the amount has been updated and she will get back to the board on that number.

36  
37 Board Member Mina asked what is the policy with DLNR regarding feedlots? Board Member  
38 Tsuji replied that there is no policy but there is a single feedlot. Chairperson Hurd added that per  
39 Act 90, DLNR needs to clean up the lots before DOA will review them for accepting them, but it  
40 is unknown if manure ponds are a necessary part of a feedlot.

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2 B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION  
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- 4 1. Request for Acceptance of Annual Lease Rent as Determined by Independent  
5 Appraisal and Consent to Assignment of New Lease, Ronald P. Weidenbach dba  
6 Hawaii Fish Company, Assignor, to Hawaii Fish Company Inc., Assignee; TMKs:  
7 (1) 6-9-001:002, 003 and 036; Kaena, Waialua, Island of Oahu, Hawaii  
8

9 Roy Hasegawa, Property Manager, presented testimony as submitted.

10  
11 Motion to Approve: Cabral/James  
12

13 Discussion:

14 Board Member Cabral asked when the lease will be finalized. Mr. Hasegawa replied that they  
15 will draft it and it will be reviewed by the AG followed by the lessee.  
16

17 Board Member Mina asked what is being added since it is self-contained in the quarry. Ms.  
18 Murai commented that he will be assuming responsibility for the entire TMK. The RP came from  
19 DLNR, so he was given a permit for a portion. Surveys are required because he's getting a  
20 general lease.  
21

22 Vote: Approved; 7-0  
23  
24

- 25 2. Request for Consent to Amend General Lease No. S-3138; Hawaii Land &  
26 Livestock, LLC, Lessee; TMK (1) 9-1-031:001, Honouliuli, Ewa, Island of Oahu,  
27 Hawaii  
28

29 The matter has been deferred due to HDOA staff receiving additional information and will need  
30 to be reviewed.  
31

32 Mr. Bobby Farias, owner of Hawaii Land & Livestock, LLC and Mr. Aaron Eddington, Hawaii  
33 Meats, requested this item be postponed to the next meeting. He added that there are  
34 corrections that need to be made and that the board should be fully briefed in the history and  
35 actions taken by BLNR and BOA.  
36  
37

- 38 3. Request to 1) Terminate General Lease No. S-9001, Jane Kelly Lavoie, Lessee;  
39 Issue Cancellation Document, and Disposition of Lot; and (2) Rescind Approval  
40 of Farm Dwelling; TMK: (2) 5-2-001:011, Lot No. 2, Molokai Agricultural Park,  
41 Hoolehua, Island of Molokai, Hawaii  
42

43 The matter has been deferred due to HDOA staff receiving additional information that will need  
44 to be reviewed.  
45  
46

- 1                   4. Request for Consent to Assignment of General Lease No. S-4829; William  
2                   Hanson and Henrietta Hanson, Lessee/Assignor; Jungle Mist Orchids, LLC,  
3                   Assignee; TMK: (3) 1-5-116:034, Lot 7, Pahoehoe Agricultural Park, Puna District,  
4                   Island of Hawaii, Hawaii  
5

6 Brandi Ah Yo, Property Manager, presented testimony as submitted.  
7

8 Motion to Approve: Ley/Evans  
9

10 Discussion:

11 Board Member Mina asked if the value determined by the amount of production and sale of the  
12 fruit or is that included in the labor to maintain the tree. Ms. Ah Yo responded that it is the value  
13 of the trees because it is fruit bearing. She added that she has the amounts confirmed.  
14

15 Vote: Approved; 7-0  
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- 18                   5. Request for Approval to Sublease Between the Hamakua Agricultural  
19                   Cooperative, Lessee/Sublessor, and Rose Cypret, Sublessee; General Lease  
20                   No. S-5551, TMK: (3) 4-6-003:001, 002 and 020 (por), Lot No. 4, Honokaia,  
21                   Hamakua, Island of Hawaii, Hawaii  
22

23 Brandi Ah Yo, Property Manager, presented testimony as submitted.  
24

25 Motion to Approve: Ley/Mina  
26

27 Discussion:

28 Board Member Cabral asked if there isn't much interest in these parcels? Ms. Ah Yo replied that  
29 the Hamakua Ag Cooperative is our lessee, so they look for their sublessee. They look for  
30 expansion because their parcels are small.  
31

32 Vote: Approved; 7-0  
33  
34

- 35                   6. Request for Acceptance of Annual Lease Rent as Determined by Independent  
36                   Appraisal for General Lease No. S-4205; Kohala Plants Inc., Lessee; TMK: (3)  
37                   2-4-049:031; Lot 31, Panaewa Farm Lots, Waiakea, South Hilo, Island of  
38                   Hawaii, Hawaii  
39

40 Brandi Ah Yo, Property Manager, presented testimony as submitted.  
41

42 Motion to Approve: Gomes/Ley  
43

44 Discussion:

45 Board Member Mina asked if it was 60 acres or 60,000 acres. Ms. Ah Yo replied that it is 60  
46 acres.

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2 Ms. Ah Yo indicated she did not put the 1.5% for the recommendation. The amendment to the  
3 motion was accepted.

4  
5 Vote: Approved; 7-0  
6

7  
8 The Board was in recess from 10:18 a.m. - 10:39 a.m.  
9

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11 C. AGRICULTURAL LOAN DIVISION

12  
13 1. Request for Approval of One (1) Axis Deer Emergency Loan to Rory James  
14 Souza

15  
16 Yong Pak, Business Loan Officer, presented testimony as submitted.

17  
18 Motion to Approve: Gomes/Ley

19  
20 Discussion:

21 Board Member Cabral asked how the 15-year term is determined. Mr. Pak replied that it is  
22 defined in our statute, but he assured us he would get back to the board upon checking.

23  
24 Board Member Ley asked if the staff negotiates with the applicant on how many years the term  
25 will be. Mr. Pak replied that it depends on the cash flow and that there is discussion between the  
26 loan staff and the applicant.

27  
28 Board Member Ley also asked in respect to the turn-downs, it indicates there's a waiver for the  
29 emergency loans for impacts from deer damage under \$100,000, but the applicants are for  
30 \$100,000. Mr. Pak commented that it's up to \$100,000.

31  
32 Board Member Evans asked if the loan applicant agreed to the 15-year term. Mr. Pak said yes.

33  
34 Board Member Mina asked what is the total amount the farmer will be paying back on this loan?  
35 Mr. Pak said he will get back to the board on this question.

36  
37 Vote: Approved; 7-0 with reservations – 1 (Mina)  
38

39  
40 2. Request for Approval of One (1) Axis Deer Emergency Loan to Ink Farm,  
41 Kathereen Kaai and Lloyd Inouye, Co-Borrowers

42  
43 Jillian Scheibe, Agricultural Loan Officer, presented testimony as submitted.

44  
45 Motion to Approve: Gomes/Evans

46  
47 Discussion:

1 Board Member Cabral wanted clarification on if this is an emergency loan. Ms. Scheibe  
2 confirmed that it is an emergency loan.

3  
4 Board Member Mina asked if the 10-foot fence was adequate. Board Member Gomes said yes,  
5 it is.

6  
7 Vote: Approved; 7-0  
8

9  
10 3. Request for Approval of One (1) Axis Deer Emergency Loan to Douglas Clive  
11 Drew & Pearl Garcia Drew, Trustees of the Douglas Clive Drew and Pearl  
12 Garcia Drew Living Trust dated February 27, 2015.

13  
14 Wayne Takamine, Business Loan Officer, presented testimony as submitted.

15  
16 Motion to Approve: Evans/Gomes  
17

18 Discussion:  
19 Clive and Pearl Drew, owner/occupants of the property, added that they are available for  
20 questions.

21  
22 Board Member Gomes asked Mr. Drew how many axis deer he has on his property. Mr. Drew  
23 responded that the herd size is up to 130 and is continuous throughout the year including  
24 through the drought period.

25  
26 Board Member Mina asked what the total cost of the loan will be. Mr. Drew commented that it is  
27 fully amortized over 10 years at 3%.

28  
29 Vote: Approved; 7-0  
30

31  
32 D. PLANT INDUSTRY DIVISION

33  
34 Plant Quarantine Branch

35  
36 1. Request to: (1) Allow the Importation and Possession of Lab-Reared  
37 Strains of the Parasitoid Wasp, *Phymastichus coffea* (Hymenoptera:  
38 Eulophidae), an Insect on the List of Restricted Animals (Part A), by  
39 Permit, for Field Release to Control the Coffee Berry Borer,  
40 *Hypothenemus hampei*, by the U.S. Department of Agriculture -  
41 Agricultural Research Service (USDA ARS) and University of Hawaii at  
42 Manoa (UHM); and

43  
44 (2) Establish Permit Conditions for the Importation and Field Release of  
45 Lab-Reared Strains of the Parasitoid Wasp, *Phymastichus coffea*  
46 (Hymenoptera: Eulophidae), an Insect on the List of Restricted Animals

1 (Part A), to Control the Coffee Berry Borer, *Hypothenemus hampei*, by the  
2 USDA ARS and UHM.

3  
4 Chris Kishimoto, Entomologist, presented testimony as submitted.

5  
6 Motion to Approve: Evans/Ley

7  
8 Discussion:

9 Louis Daniele, General Manager of Kau Coffee Mill, commented that farmers that are  
10 growing coffee need all the help they can get in terms of CBB. There's been an increase  
11 in CBB in last season's harvest, so he is in support of this endeavor.

12  
13 Suzanne Shriner, Synergistic Hawaii Ag Council, added that the coffee industry is in  
14 favor of this release and would appreciate the issuance of permit conditions to see how  
15 this works in the field.

16  
17 Board Member Cabral asked what the conclusion was regarding the EA. Mr. Kishimoto  
18 replied that they got their EA with a finding of no significant impact.

19  
20 Board Member Gomes asked if an EIS will ever be done. Mr. Kishimoto replied that the  
21 applicants have gone through the environmental review process and said the applicants  
22 would be better to speak to the disapproval by the Advisory Committee regarding using  
23 repellents.

24  
25 Dr. Mark Wright, from the University of Hawaii said yes, they will continue looking for  
26 repellants as a component of an integrated pest management system. He added that  
27 the proposed action has very low risk according to the data that they have.

28  
29 Board Member Gomes asked if this would cover unmanaged fields too and how long it would  
30 take to get coverage to help the farmers. Dr. Mark Wright said as soon as the parasitoid is  
31 established in the environment, it can go wherever it wants and it would take a while before it  
32 gets distributed.

33  
34 Board Member Mina added that he'd like to see this investigated as far as biological control in  
35 our agricultural systems.

36  
37 Board Member Ley asked what is the plan for distribution and getting it out into the field?  
38 Dr. Mark Wright responded that they would get it out to the Big Island – Kau and Kona. UH has  
39 funding for a PhD student to monitor the releases and track its establishment. Once it's  
40 established, they are allowed to further distribute it to Maui, Oahu, and Kauai. Currently they  
41 have a year-to-year funding, but they want to take this as far as they possibly can.

42  
43 Board Member Gomes asked what is a generation? Dr. Mark Wright replied that it varies  
44 depending on temperature and takes from 32-42 days. It'll take about two generations or a  
45 couple of months before it can be taken out into the environment.



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Vote: Approved; 7-0

VI. OLD BUSINESS

A. Update on interest rate for Diamond B Ranch, LLC, and Brendan L. Balthazar.

Motion to go into executive session to discuss personal matters and receive advice from the Deputy Attorney General : Gomes/Ley

Vote for the executive session: Approved 7-0

The meeting went into executive session from 11:24 AM – 11:55 a.m.

The BOA meeting was reconvened and officially adjourned at 11:56 p.m.

Motion to adjourn: Gomes/Cabral

Respectfully submitted,

Marci Clingan