



Minutes of the Board of Agriculture May 23, 2023

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on May 23, 2023 at 9:05 a.m. by Board of Agriculture Chairperson, Sharon Hurd. The meeting was conducted virtually via Zoom and in-person from the Plant Quarantine Branch located at 1849 Auiki Street, Honolulu, Hawaii 96819-3100.

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
Dr. Ania Wieczorek, Interim Dean CTAHR, Ex Officio Member
Diane Ley, Hawai'i Member
Fred Cowell, Kauai Member
En Young, Member-at-Large
Randy Cabral, Member-at-Large
James Gomes, Member-at-Large

Members Excused:

- Vincent Mina, Maui Member

Note: Chair Hurd and Board Member Evans and Deputy Attorney General Jodi Yi were present, in-person at the conference room located in the Plant Quarantine Branch Conference Room. Board Members Gomes, Wieczorek, Ley, Young, Tsuji, Cowell, Cabral attended virtually.

Others present in the Plant Quarantine Branch Conference Room include Marci Clingan (HDOA), Stephen Dalton (HDOA), Janelle Saneishi (HDOA), Jonathan Ho (HDOA), Noni Putnam (HDOA), Michael Wong (UH), and Christopher Kishimoto (HDOA).

Others Virtually Present:1

- Brandi Ah Yo, HDOA
Cathy Goeggel
Janet
Hugh Kojima (Dept. of Attorney General Intern)
Earl Yamamoto, HDOA
R Chun
Kori K.
Leo Obaldo, HDOA
Aldric Ulep

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

1 Roy Hasegawa, HDOA
2 Rae Gee, HDOA
3 Keith Otsuka, HDOA
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5 II. APPROVAL OF MINUTES FROM May 23, 2023 MEETING

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7 Motion to Approve: Gomes/Ley

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9 Vote: Approved; 9-0
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12 III. INTRODUCTIONS – None.
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15 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
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17 A. AGRICULTURAL LOAN DIVISION
18

- 19 1. Request for Approval to Reopen and Modify Parameters for DOA's Emergency
20 Loan Program to Provide Relief Due to Overpopulation of the Axis Deer in the
21 County of Maui
22

23 Chair Hurd presented the request as submitted.
24

25 Motion to Approve: Gomes/Evans
26

27 Discussion:

28 Board Member Evans said she speaks in favor of the motion and knows the situation on Maui
29 and Molokai is a crisis for farmers and these changes will help farmers and ranchers cope with
30 the natural population increase.
31

32 Board Member Wieczorek wanted to speak in support of this motion.
33

34 Board Member Tsuji asked if our Deputy Attorney General reviewed the terms and conditions
35 and if everything is appropriate. Deputy AG Yi responded that she did not get to review it but
36 Brian Yee might have reviewed it. Board Member Evans said Deputy AG Yee did review the
37 terms and conditions.
38

39 Vote: Approved; 9-0
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41 B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
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- 43 1. NON-ACTION ITEM: Update on the Transfer of Public Lands from the
44 Department of Land and Natural Resources to the Department of Agriculture
45 Pursuant to Act 90, SLH 2003, Codified As Chapter 166E, Hawaii Revised
46 Statutes; TMK Nos.: (3)9-8-001:003, 006, and 013; (3)9-6-011:002, (3)9-8-

1 001:011 and 012; (3)9-8-001:009 and 010; (3)4-4-0014:002, 003 and 011; Island
2 of Hawaii
3

4 Brandi Ah Yo, Property Manager, presented as submitted.
5

6 No action needed at this time.
7

8 Discussion:

9 Board Member Gomes wanted to thank Chairperson Chang and Chairperson Hurd and all staff
10 for making this happen. Hopefully with this transfer, we can get more leases turned over to
11 DOA.
12

13 Board Member Cowell wanted to thank staff as well.
14
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16 C. PLANT QUARANTINE BRANCH
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- 18 1. Allow the Importation of Guinea Pigs, *Cavia cobaya* (*Cavia porcellus*),
19 Domesticated Mice, *Mus musculus*, and Domesticated Rats, *Rattus* species,
20 Animals on the List of Conditionally Approved Animals, by Permit, for Research,
21 by the University of Hawaii Animal & Veterinary Services; and (2) Update Permit
22 Conditions for the Importation of Guinea Pigs, *Cavia cobaya* (*Cavia porcellus*),
23 Domesticated Mice, *Mus musculus*, and Domesticated Rats, *Rattus* species,
24 Animals on the List of Conditionally Approved Animals, by Permit, for Research,
25 by the University of Hawaii Animal & Veterinary Services.
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27 Noni Putnam, Land Vertebrate Specialist presented testimony as submitted.
28

29 Motion to Approve: Evans/Wieczorek
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31 Discussion:

32 Cathy Goeggel, President of Animal Rights Hawaii asked if the blanket permission is dedicated
33 to specific protocols and if they are available to the public. Ms. Putnam replied that these are
34 conditionally approved animals and regarding protocols for DOA, private individuals can bring
35 them in for importation as stated. Ms. Goeggel added that the reason they are being imported
36 should be for specific protocol, but that information isn't included in the submission. Ms. Putnam
37 added that this request is for research. Dr. Micah Wong, Interim University Veterinarian, said the
38 animals are brought in and used under approved Institutional Animal Care and Utilization
39 Committee (IACUC) protocols. With regards to access to protocols, that would be a question for
40 the UH.
41

42 Ms. Goeggel said she is trying to find out what these animals are used for and there is a lack of
43 transparency. Dr. Wong said that he doesn't know how to respond to that and that's outside of
44 his ability to respond for the university. AG Yi said it is a matter between the university and not
45 the DOA. The decision is up to the board, but the UH is the source of the information that Cathy
46 is looking for.
47

1 Ms. Goeggel said she would like to have access to the protocols for each of the animals that are
2 going to be allowed to be imported. Dr. Wong said he doesn't know by law what is allowed to be
3 disclosed. He said he is required to sign a non-disclosure, but he knows that people have
4 requested this from the UH previously.

5
6 Board Member Gomes asked why don't you include Chinchillas now, rather than go through this
7 process again. Do rabbits need to be pre-approved because it's not listed in the presentation.
8 Dr. Wong said in his 18 years of being with the UH, he's never had Chinchillas used in animal
9 research, which is why they haven't added it to the process. Ms. Putnam added that rabbits are
10 considered domestic and not non-domestic, so it's not regulated by PQB, but instead by AI. It is
11 verified that it is a domestic animal, but other requirements are from AI.

12
13 Board Member Gomes asked why the two people in the Advisory Subcommittee Review did not
14 give a response. Ms. Putnam said she did not follow up with those two but she is working to
15 update her Advisory Subcommittee Members for the past request, but hasn't received any
16 responses.

17
18 Board Member Gomes asked what sets the basis for the fee amount for the permit application.
19 Ms. Putnam replied that these fees are a part of Chapter 158, and they do not go up or down
20 unless it's approved.

21
22 Board Member Gomes asked if it's possible to have a tour of the facility – Manoa, Kakaako, and
23 Biomed. Ms. Putnam said PQ goes out and conducts site inspection at these facilities and all
24 information matches. Dr. Wong said it may be possible to give board members a tour and he will
25 find out more information.

26
27 Chairperson Sharon Hurd asked what happens to the domestic animals once they arrive in the
28 state. What does AI do with them? Ms. Putnam says that it comes into Animal Quarantine and
29 they make sure that it has the health certificates and once all paperwork is approved, they
30 contact PQ to verify if it is a domestic animal and not a wild hare. Animal Quarantine has their
31 own rules and regulations that they follow. Everything comes into Animal Quarantine prior to
32 getting released whether it's domestic or non-domestic.

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34 Vote: Approved; 9-0

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36 V. OLD BUSINESS

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38 None.

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41 VI. NEW BUSINESS

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43 A. Request to Delegate to Chair the Authority to Refer Collections of Pesticide
44 Violation Penalties to the Department of Attorney General

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46 This item has been deferred to the next board meeting because the agenda item did not
47 conform with the submittal request. Item will be corrected for the next meeting.

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B. NON-ACTION ITEM: Advise BOA on Plans of Submitting a Bill to Cap the Interest Rate on Loans

Chair Hurd advised that the cap of 4% that was mentioned at the last meeting will likely be on the request for the next meeting.

Board Member Evans said she thinks it's important that farmers and ranchers that use this loan opportunity have interest rates that they can afford to pay.

Board Member Ley asked if the aquaculture loans will be included in the proposed legislation. Chairperson Hurd said that it will be a board decision, but the bill will say "cap at 4%" and the board can decide if it is preferred to carve off the aquaculture loans and keep them at 5%.

The meeting was adjourned at 9:46 am

Motion to adjourn: Cowell/Gomes

Respectfully submitted,

Marci Clingan