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**Minutes of the Board of Agriculture
April 23, 2024**

A video recording of this meeting can be found online by visiting this website:
<https://hdoa.hawaii.gov/meetings-reports/>

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on April 23, 2024, at 9:04 am by Board of Agriculture Chairperson, Sharon Hurd. The meeting was conducted virtually via Zoom and in-person from:

*State of Hawaii, Department of Agriculture
Plant Quarantine Branch
1849 Auiki Street*

Members Present In-Person:

Sharon Hurd, Chairperson, Board of Agriculture

Members Virtually Present: Roll call/alone

Ryan Kanaka’ole, Board of Land and Natural Resources, Ex Officio Member (left the meeting at 9:20 am)

Diane Ley, Hawaii Member

Vincent Mina, Maui Member

Randy Cabral, Member-at-Large

James Gomes, Member-at-Large

Mary Alice Evans, Ex-Officio Member

Fred Cowell, Kauai Member

En Young, Member-at-Large (joined the meeting at 9:07 am)

Excused:

Deputy Attorney General Present In-Person: DAG Bryan Yee

Others Present In-Person:

Marci Clingan, HDOA/Chair’s Office

Roy Hasegawa, HDOA/ARM

Stephen Dalton HDOA/IT

Others Virtually Present:¹

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

1 Beryl.TL.Manliguis
2 Brandi Ah Yo
3 Janet
4 Jason Moniz
5 Kelcie Nagata, Esq.
6 Kelsie Kalohi
7 Kori K.
8 Rae Gee
9

10
11 II. APPROVAL OF MINUTES FROM 3/27/24 MEETING
12

13 Motion to Approve: Gomes/Mina
14

15 Vote: Approved; unanimously
16

17 III. INTRODUCTIONS
18

19 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
20

21 A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
22

23 1. Request to Approve Rental Offset, General Lease No. S-3155; Tree
24 Concepts Hawaii LLC, Lessee; TMK: (1) 4-1-027:023, Waimanalo,
25 Koolaupoko, Island of Oahu, Hawaii
26

27 Roy Hasegawa, Property Manager, presented testimony as submitted.
28

29 Motion to Approve: Evans/Ley
30

31 Discussion:

32 Member Mina asked if there were grading permits that were issued for the clearing on
33 this property.
34

35 Mr. Hasegawa responded that there is a lease, and the lessee is clearing. According to
36 the Department of Planning and Permitting, a permit is not required for a clearing. He
37 added that the heiau is a separate parcel.
38

39 Mr. Hasegawa added that the lessee is working with NRCS for the conservation plan.
40 He said this parcel is adjacent to the heiau, and it has been surveyed and they are
41 working with NRCS for clearing.
42

1 Member Gomes asked what kind of trees they are removing.

2

3 Mr. Hasegawa said primarily Albizia trees.

4

5 Vote: Approved; Unanimously

6

7

8 2. Request for Conversion of General Lease S-4475; KK Ranch Inc., Lessee;

9 TMK: (3) 4-4-014:002, Government Land of Kalopa and Kaohe-3,

10 Hamakua, Island of Hawaii, Hawaii

11

12 Motion to Approve: Gomes

13

14 Member Cabral said he had a few questions before a motion was made.

15 He asked if he could make a change so the lease would go to a 65-year term instead of
16 35-year term.

17

18 Member Gomes agreed that he would like to change it to a 65-year term.

19

20 Member Gomes withdrew his original motion.

21

22 Motion to Amend the lease to 65-year from 35-year: Gomes/Cabral

23

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

25

26 Discussion:

27

28 Member Evans asked why the state realizing greater returns be in the public interest?

29 She added that she thought that the goal is to ensure that agriculture and farmers and
30 ranchers are given support to be successful.

31

32 Ms. Ah Yo responded that she believes it is a statement because it's being utilized for
33 the purpose of agriculture, and it is in the public's best interest to reduce disruptions.

34 She believes this is coming from the HAR.

35

36 Member Evans asked if the greater returns to the state in the form of additional lease
37 rentals is not the basis for the public interest?

38

39 Ms. Ah Yo said she doesn't believe so.

40

41 Member Evans said she wanted to explore that idea because the department's mission
42 is to support agriculture and therefore realizing greater returns from lease rentals should
43 not be our primary goal.

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Chairperson Hurd added that in light of the recent fires and the way the non-ag park land management occurs, that is also a benefit to the state as well.

Member Ley asked about recommendation number 2. It references reopenings on the 15th and 30th year.

Ms. Ah Yo asked if they should take care of this now and that it would be 10 years after the 30-year term.

Mr. Hasegawa said it's been the division policy to do 15 and 10 thereafter but it depends.

Deputy AG Yee said that his understanding is that a mandatory finding of the motion is that the transaction or the conversion is "in the public interest." He asked if the rental income would go to a special fund.

Ms. Ah Yo said she cannot answer that question as she is not 100% sure where it goes but she can find out.

Mr. Hasegawa said yes.

Deputy AG Yee said the original recommendation was that there's an increase in public realizations and that was in the public interest. If you take that away, what is the new reason for the public interest?

Ms. Ah Yo responded that it is to reduce the disruptions to the current ongoing farming operation. KK Ranch has been a good steward of the land and has been very active in producing cattle for the island and the state of Hawaii. By supporting this conversion, it would reduce that disruption.

Vote: Approved; unanimously

V. OLD BUSINESS
None

VI. NEW BUSINESS
None

- 1 Motion to adjourn: Gomes/Mina
- 2
- 3 The meeting was adjourned at 9:27 am
- 4
- 5 Respectfully submitted,
- 6
- 7
- 8
- 9 Marci Clingan