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**Minutes of the Board of Agriculture  
November 26, 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 November 26, 2024, at 9:05 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, DLNR, Ex-Officio Member
- Dr. Parwinder Grewal, Dean CTAHR, Ex-Officio Member
- Dane Wicker, DBEDT, Ex-Officio Member - Left the meeting at 11:28 am; Joined at 11:33 am
- Diane Ley, Hawaii Member
- Nathaniel Oswald, Maui County Member
- Fred Cowell, Kauai Member – Joined the meeting at 10:50 am
- Randy Cabral, Member-at-Large
- En Young, Member-at-Large – Left the meeting at 11:13 am
- James Gomes, Member-at-Large

Excused:

None

Deputy Attorney General Present In-Person:

- DAG Bryan Yee
- DAG Kelcie Nagata

Others Present In-Person:

- Esther Riechert, HDOA/Pesticides
- Scott Nishimoto, HDOA/Pesticides
- Wil Leon Guerrero, HDOA/PQ

1 Brandi Ah-Yo, HDOA/ARM  
2 Beryl Manliguis, HDOA/ARM  
3 Jerome Yasuhara, HDOA/ARM  
4 Saguna Verma, University of Hawaii  
5 Jason Azus-Richardson, HDOA/IT  
6 Marci Clingan, HDOA/Chair's Office  
7  
8 Others Virtually Present:<sup>1</sup>  
9 Saguna Verma  
10 FIN - Stacey  
11 Senator Herbert M "Tim" Richards III  
12 Greg Takeshima  
13 Jonathan Ho  
14 Office of Sen. DeCoite  
15 AGR Matsukawa Dean  
16 ChunKB  
17 lindsey.ancog  
18 ezamora  
19 Reggie Garcia-(Office of Senator Richards)  
20 Hubert Olipares  
21 Brian Miyamoto  
22 Rae Gee  
23 Senator DeCoite  
24 Thomas Heaton  
25 James McCully's iPhone (2)  
26 Douglas Chin  
27 J Ferrer, HDOA  
28 Yuichiro Tanaka  
29 Dexter Kishida, Hawaii Department of Agriculture  
30 Dana, Hawai'i 'Ulu Co-op  
31 Judson Laird  
32 Stephanie  
33 janet  
34 H&L Terada Farms  
35 HDOAPIO  
36 HDOAPIO  
37 Roy Hasegawa  
38 lyumm  
39 Jill Scheibe  
40 Dexter Kishida, HDOA  
41  
42

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

1 II. APPROVAL OF MINUTES FROM October 22, 2024, MEETING

2

3 Motion to Approve: Gomes/Ley

4

5 Vote: Approved; Unanimously – 9

6

7

8 III. INTRODUCTIONS

9

10

11 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

12

13 A. AGRICULTURAL LOAN DIVISION

14

- 15 1. Request for Approval of One (1) Class A Loan for Tai Shan Farms, Inc; William  
16 Kevin Begemann and Aida Esther Zamora Co-Borrowers

17

18 Jillian Scheibe, Ag Loan Division, presented testimony as submitted.

19

20 Motion to Approve: Ley/Gomes

21

22 Discussion:

23 Member Cabral asked if the parcel amounts can be explained since the parcel values  
24 were different. He also asked why the projection on the farm income was substantially  
25 less and what is the difference between the three years and their projection.

26

27 Ms. Scheibe said they don't have the same volume of sales since they moved away  
28 from the farmer's market. They are saving a lot on labor costs. She added that there is a  
29 difference between the loan and property value because they bought Taishan Farms  
30 and its' branding as well. The tax accessor gives stuff for permitted features. The brand  
31 power of the Taishan Farms and all the marketing that have been built up by the  
32 predecessor was included in those values as well.

33

34 Vote: Approved; Unanimously – 9

35

36 Chairperson Hurd went out of order from the agenda due to time constraints. The board  
37 heard item C.6 during this time.

38

39

40 B. PLANT INDUSTRY DIVISION

41

1                   Pesticides Branch

2  
3                   1. Proposed amendment to list of state restricted use pesticides to include  
4                   new active ingredient, Flupyradifurone

5  
6 Scott Nishimoto and Esther Riechert, Pesticides Branch, presented testimony as  
7 submitted.

8  
9 Motion to Defer: Ley/Cabral

10  
11 Discussion:

12 Janet Ashman, speaking on behalf of the Hawaii Farm Bureau (HFB), said they are  
13 concerned about this proposal. They have serious concerns about the way the October  
14 7<sup>th</sup> meeting was conducted. The meeting consisted new members to the committee who  
15 were not provided orientation or communication about how the meeting would work or  
16 what their roles were. She said there were many questions, and they were not  
17 answered, and a motion was made prematurely. She added that she tried to make a  
18 motion to not restrict it until a groundwater review was done not using the controversial  
19 model since at least 2010. That model has problems and it's going to be looked at and  
20 the UH has a contract to do that. She also said the draft minutes were not complete but  
21 there was a 5-4 vote and that the members were very confused about the process  
22 about what was happening. Once the vote was taken, another motion was not made to  
23 do the opposite. She said the process seems to be backwards. She stated again that  
24 the motion is premature. She said the EPA classifies this pesticide as a reduced risk  
25 pesticide and it poses less risk to human's health and the environment than other  
26 pesticides allowed for the same use.

27  
28 Greg Takeshima, Plant Industry Division, responded to Janet's testimony and said he  
29 can provide that there are 11 states that have restricted the use of neonicotinoids. The  
30 restrictions are very narrow and are usually home, lawn care, and ornamental use.  
31 Those restrictions are not for agricultural use.

32  
33 Judson Laird said he's been involved with large scale agricultural pest control in Hawaii.  
34 He said because Hawaii doesn't have a winter, it's increasingly challenging to manage  
35 the insect population. He added that Flupyradifurone was introduced in 2014 as one of  
36 the newer pesticides and is highly selective and considered safe on beneficials. Other  
37 general use products are made in the 1950s which some are dangerous for our  
38 environment and ruins our ecosystem. He added that he supports more funding to find  
39 out if this is a danger to the environment and he would like to restrict it if it is.

40  
41 Matt Lyum said he is representing himself as a concerned citizen. He said he has a  
42 restricted use pesticides license but said he will not use anything on the RUP list  
43 because it then becomes vilified. He added that putting this on the list before doing

1 studies is going to make their ability to use these new chemistries even more difficult.  
2 The landscape industry is dealing with CRB and the only effective treatment they have  
3 now is neonicotinoids. He concluded that they need all the tools that they can to fight  
4 invasive species that are attacking our environment, and we need these new  
5 chemistries to help us. Once this gets put on the RUP list, they'll never going to use it.

6  
7 Esther Riechert, Pesticides Branch, said the modeling system they used was developed  
8 in collaboration with DOH and UH's Water Resource Branch. She said the majority of  
9 the other states that have responded, require the applicator to be licensed with the state  
10 if they are using the product for commercial use. This is not the case for Hawaii. Each  
11 state has their own unique situation in which they can further restrict active ingredients.

12  
13 Janet Ashman said this product is not a noenicitinoid.

14  
15 Matt Lyum said the National Association of Landscape professionals have a national  
16 test, but said they dropped the pesticides training and was told that every state except  
17 for Hawaii requires commercial applicators of all pesticides to have a commercial  
18 license. A lot of states require commercial certification which is a different lower level.  
19 He added that he thinks Hawaii should have commercial applicators trained. He also  
20 said the labels have also been confusing.

21  
22 Deputy AG Yee reminded everyone that the motion is to defer the matter.

23  
24 Member Young said the Advisory Committee didn't feel like they had time to really vet  
25 this and he is concerned that the board defers this into nothing with no timeline. He said  
26 we need to have a resolution. He said he wants the committee's recommendation to be  
27 well thought and well considered. He wants to kick this back to the committee with a  
28 timeline if possible.

29  
30 Member Oswald asked if there has been a previous pesticide that was added to an  
31 RUP list and then rescinded later and if there is any evidence of negative impact. He  
32 also asked if there are any alternatives and what's the benefit of making it an RUP. He  
33 said this needs to be deferred with a lot more research done on this.

34  
35 Member Cabral said his recommendation is that this should go back to the Pesticide  
36 Advisory Committee for them to do a better review and come back with a  
37 recommendation.

38  
39 Member Gomes said we need more adequate review time and more research and  
40 education. He also agrees that this should be deferred.

41  
42 Member Grewal also agreed with what has been said and more research should be  
43 done.

1  
2 Member Gomes added he wants a response from those that did not respond.  
3  
4 Member Ley clarification in the process would be good. She said when these highly  
5 technical issues come before the board, it requires significant scientific understanding  
6 and therefore she relies on being provided sufficient information to make an informed  
7 decision. She said she'd like the specifics noted in the minutes and that the Plant  
8 Industry Advisory Group provides some translation of that science which has been  
9 helpful to her. She said it raised red flags when she saw the close vote and how one  
10 wasn't recorded.  
11  
12 Esther Riechert said it would be hard to track the usage of the products with  
13 Flupyradifurone because it's general use and they don't have the data for that. She said  
14 they'll try to address the other points at the Pesticides Advisory Committee.  
15  
16 Member Oswald asked if we could look at sales to know how much is imported.  
17  
18 Ms. Riechert said we can request sales data, but we don't have the authority to  
19 mandate that. We can track RUP for that information.  
20  
21 Mr. Nishimoto said we'd have this information if the marketplace surveillance inspection  
22 is conducted by inspectors and a violation was observed. The inspector could go back  
23 to the retailer to request for sales invoices or receipts. Other than that, we wouldn't have  
24 any information on importation of general use pesticides if there is no violation that has  
25 occurred.  
26  
27 Member Ley asked what the source of funding for groundwater modeling is as well as  
28 specific studies for pesticides. Does the branch fund this or do they need to partner with  
29 DOH or UH?  
30  
31 Mr. Nishimoto said majority of the contracts that Pesticides have are typically funded  
32 with the Pesticides Revolving Fund. The groundwater review study has not been  
33 budgeted for FY 2025. We could tap into trust funds from the Monsanto settlement.  
34  
35 Chairperson Hurd said they're using the Pesticides Use Revolving Fund (PURF) to test  
36 water but with the concern that the funding from the Federal side will be cut, we are  
37 wondering how to fund future programs.  
38  
39 Mr. Nishimoto said we have 3 positions in the Pesticides Branch that are federally  
40 funded and he has expressed concerns about federal funds being cut.  
41  
42 Greg Takeshima said some of the discussion in the Advisory Committee on Pesticides  
43 revolved around \$400,000 for on the ground, in field experiment to verify groundwater

1 leaching. Is that an effective use for one specific active ingredient? We would potentially  
2 be spending a large amount of money for each active new ingredient. The branch is  
3 statutorily required to ensure that the environment is watched over. If anyone wants to  
4 go into details, he said they can reach out to him.

5  
6 Member Cabral asked Mr. Nishimoto if the PURF funds were taken into general funds  
7 when they cut back the special funds from all the departments?

8  
9 Mr. Nishimoto said the funds are fees that we collect from certifications or penalties. He  
10 said the PURF fund had been used to pay for majority of the positions in the Pesticides  
11 Branch but the funding for these positions had been moved to General funds to pay for  
12 the position.

13  
14 Mr. Takeshima said we are statutorily required to put back anything above \$1 million in  
15 the PURF back into the general use fund. He added that the branch put in a request  
16 through executive legislation to increase the cap for the PURF from \$1 million to \$3  
17 million. Now that staffing is removed, we are trying to bump up projects to assist  
18 industry.

19  
20 Chairperson asked how long it might take to gather the data and statistics and for the  
21 board request to come back in.

22  
23 Mr. Takeshima said the intent is to hold the next Advisory Committee Meeting in  
24 February. He said that they can do a better job in terms of preparing the advisory  
25 committee.

26  
27 Member Ley agreed that she would like to change her motion to defer until a date after  
28 February.

29  
30 Member Cabral seconded the motion.

31  
32 Motion to defer this matter until a date after February 2025: Ley/Cabral

33  
34 Vote: Deferred; Unanimously – 9

35  
36  
37 Plant Quarantine Branch

38  
39 2. Request to: (1) Allow the Importation and Possession of Monkeypox Virus,  
40 Clade IIb, on the List of Restricted Microorganisms (Part A), for Laboratory  
41 Research, By the University of Hawaii; (2) Establish Permit Conditions for  
42 the Importation and Possession of Monkeypox Virus, Clade IIb, on the List  
43 of Restricted Microorganisms (Part A), by Permit, for Laboratory

1 Research, by the University of Hawaii; (3) Determine if the Permit  
2 Conditions are Sufficient to Assure the Possession of Monkeypox  
3 Virus Clade IIb, for Laboratory Research by the University of Hawaii, by  
4 Permit, Presents Minimal to No Significant Impact on the Environment  
5

6 Wil Leon Guerrero presented testimony as submitted.  
7

8 Motion to Approve: Wicker/Gomes  
9

10 Discussion:

11 Member Wicker asked if a variety of this virus has been imported through this process  
12 before.  
13

14 Mr. Guerrero said we've had other viruses go through the board, but not this specific  
15 virus.  
16

17 Member Wicker said it's good to know that there are partnerships between our UH lab.  
18

19 Member Young said he applauds UH as a leader in this research field. He asked why  
20 the Monkeypox virus?  
21

22 Ms. Saguna Verma, Professor at the UH, said in her field, you want to keep working on  
23 new pathogens because viruses change. The Monkeypox virus was once restricted to  
24 one area in Africa but in 2022, the virus changed, and it became less severe. This  
25 Clade 2B has now spread to the US in 2022, and it has spread to 120 countries. She  
26 added that we have the expertise, motivation, and determination to do research and  
27 provide new insights which will help the public health and the clinical faculty to manage.  
28

29 Member Oswald asked how do you ensure this doesn't go out and spread?  
30

31 Ms. Verma said we are only asking to import this virus for doing invitro lab work and not  
32 animal work. It's highly unlikely to get others infected because it is not airborne like  
33 other viruses. Every student handling the virus will be vaccinated and it'll protect them.  
34 The SOP is very well established. She said they have double gloves, masks, gowns and  
35 booties so there is no way that they are exposed. The live virus never sees the outside  
36 of the cabinet. They have one of the most rigorous trainings in the U.S. There is also a  
37 buddy system so no one will work alone.  
38

39 Member Oswald asked if there is a protocol in place for worst case scenario.  
40

41 Ms. Verma said in case they feel there is a possibility of exposure, that person will be  
42 immediately monitored and will be placed in isolation.  
43



1 Mr. Guerrero said if there is an accidental release or exposure, UH is required to report  
2 that to DOA. If there is a major natural disaster, they'll need to destroy what they're  
3 working on.

4  
5 Vote: Approved; Unanimously - 9

6  
7 The board went into a recess at 10:29 am

8  
9 The board went back into session at 10:45 am

10  
11  
12 C. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

- 13  
14 1. Request for Approval to: (1) Eurus to Subdivide TMK: (1) 9-1-031:001  
15 Including General Lease S-3138, Hawaii Land & Livestock, LLC, into Two  
16 Parcels Consisting of 18 and 92.106 Acres, Respectively; (2) Modify  
17 General Lease S-3138; Hawaii Land & Livestock, LLC, Contingent upon  
18 Completion of the Subdivision of TMK: (1) 9-1-031:001, Reflecting a  
19 Reduction in Area from 110.106 to 18 Acres; and (3) Support Withdrawal  
20 of Governor's Executive Order 4584 (Dated May 15, 2019) Approximately  
21 92.106 acres, More or Less, for Reversion to the Department of Land and  
22 Natural Resources Contingent upon Completion of Both (i) the  
23 Subdivision of TMK (1) 9-1-031:001 and (ii) the Modification and Approval  
24 of General Lease S-3138; Hawaii Land & Livestock, LLC, Hono`uli`uli,  
25 `Ewa, O`ahu, Hawai`i

26  
27 Chairperson Hurd said at the request of the Hawaii land & Livestock attorney, she will  
28 be deferring this matter to a later date. This matter is dependent upon the agreement of  
29 multiple parties, including Hawaii Land & Livestock.

- 30  
31  
32 2. Request for Acceptance for Annual Renewal of Revocable Permits for TMK  
33 Nos.: (1) 4-1-008:071 & 072; (1) 9-4-002:080; (2) 1-1-003:028; (3) 3-1-004:001;  
34 (3) 4-6-002:001; (3) 4-7-004:009; (3) 4-9-011:002; (3) 5-5-007:011; (4) 1-9-  
35 002:019; (4) 1-9-003:006; (4) 1-9-003:010; (4) 1-9-012:011; (4) 4-1-001:007; (4)  
36 4-1-001:012; and (4) 4-1-009:005 & 006; Statewide

37  
38 Brandi, Ah-Yo, Property Manager, presented testimony as submitted.

39  
40 Motion to Approve: Gomes/Wicker

41  
42 Discussion:

43 Member Gomes asked if any of these have been considered to go to long term.

44

1 Ms. Ah-Yo said yes, and she has one in process to do the lease conversion. The  
2 majority of these are in this status because it's landlocked parcels so we cannot convert  
3 to a long-term lease.

4  
5 Member Gomes asked if any of the lessees own property and that's why they're land  
6 locked? He also asked if they are close by or if they can join.

7  
8 Ms. Ah-Yo said she can speak for the ones on the Big Island. She said access is an  
9 issue and they may have agreements with the neighboring parcels to have access or  
10 some may lease a property next door. If they don't own it in fee simple, we haven't done  
11 any long-term lease.

12  
13 Member Gomes asked why has it been so long to turn it over into a long-term lease?

14  
15 Ms. Ah-Yo said there were some issues and a death in the family for one of them. There  
16 were some issues with the business aspect of that structure. We might have to go out to  
17 the public to bid out on the other property. She said she's working with them to decide if  
18 he wants a long-term lease or not.

19  
20 Vote: Approved; Unanimously - 10

- 21  
22  
23 3. Request for Conversion of General Lease No. S-4392; Lois N. Hashimoto,  
24 Clyde T. Hashimoto, and Lynne N. Tamashiro, Lessee; TMK: (4) 1-9-001:011,  
25 Lot 25, Hanapēpē Rice and Kula Lots, Hanapēpē, Waimea (Kona), Island of  
26 Kaua'i, Hawai'i

27  
28 Brandi Ah-Yo, Property Manager, presented testimony as submitted.

29  
30 Motion to Approve: Gomes/Wicker

31  
32 Discussion:

33 None

34  
35 Vote: Approved; Unanimously - 10

- 36  
37  
38 4. Request for Approval to (1) Cancel General Lease Nos. S-9000 and S-9008;  
39 William Pfeil, Lessee, (2) Issue the Cancellation Document and (3) Dispose of  
40 the Parcels to the Public by Negotiation; TMKs: (2) 5-2-001:010 and 016,  
41 Moloka'i Agricultural Park, Ho'olehua, Island of Moloka'i, Hawai'i

42  
43 Brandi Ah-Yo, Property Manager, presented testimony as submitted.

44  
45 Motion to Approve: Gomes/Cowell

1  
2 Discussion:  
3 Member Oswald asked how long it has been that he's been inactive.  
4  
5 Ms. Ah-Yo said she doesn't know but can get that information to him.  
6  
7 Member Oswald asked if Ms. Ah-Yo if she knows what the unpaid property tax amounts  
8 are.  
9  
10 Ms. Ah-Yo said she does not have this information either.  
11  
12 Member Oswald said if he's already farming and it's part of his farm plan, it'll impact him  
13 hard. Is it appropriate to communicate to him that this is happening?  
14  
15 Ms. Ah-Yo said if he had a representative, we could potentially do an assignment but  
16 because that is absent, we need to put it out to the public. He will then have an  
17 opportunity to provide and to apply.  
18  
19 Chairperson Hurd asked if anyone is liable for those past due items?  
20  
21 Ms. Ah-Yo said it wouldn't be the person that's utilizing the property right now and he is  
22 not the lessee on record.  
23  
24 Deputy AG said it's not currently the adjacent outgoer's responsibility but if the adjacent  
25 landowner purchases the lease, there may be a debt that might be owed. He said we'll  
26 need to check on that.  
27  
28 Member Ley asked if we usually go out to auction or if there is another option that the  
29 board can direct staff to do.  
30  
31 Ms. Ah-Yo said when we do a public notice and in negotiations, we'll do a sealed bid.  
32 Interested farmers can submit their applications and we will determine eligibility for each  
33 one of the eligible applicants. Then they would be given an opportunity to submit a  
34 sealed bid, and then the highest bidder would get the property.  
35  
36 Member Oswald asked how does his water impact his water usage?  
37  
38 Ms. Ah-Yo said she doesn't know if he has any outstanding irrigation bills.  
39  
40 Vote: Approved; Unanimously – 10  
41  
42

- 1                   5. Request for Consent to Mortgage; General Lease No. S-3003; Hawai`i 'Ulu  
2                   Producers Cooperative, Lessee; TMK: (3) 7-9-016:018 and 019, Honalo, North  
3                   Kona, Island of Hawai'i, Hawai'i  
4

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

7 Motion to Approve: Gomes/Wicker  
8

9 Discussion:

10 Ms. Ah-Yo said we need to put a consent to put in a mortgage which puts a lien on the  
11 property.  
12

13 Member Ley said if the co-op was to default, are the assets the equipment and not the  
14 infrastructure?  
15

16 Ms. Ah-Yo said yes, that's her understanding. They also have the guaranteed as an  
17 extra layer of protection.  
18

19 Member Young recused himself.  
20

21 Vote: Approved – 9; Recused – 1 (Young)  
22  
23

- 24                   6. Request to: (1) Rescind Prior Board Action Approving Assignment of General  
25                   Lease No. S-4775; Henry M. Terada and Loraine Y. Terada, Lessee/Assignor;  
26                   Jianguo Wang, Assignee; and (2) Request to Consent to Assignment of General  
27                   Lease No. S-4775; Henry M. Terada and Loraine Y. Terada, Lessee/Assignor;  
28                   James William McCully, Assignee; TMK: (3) 2-2-056:054, Lot 28, Pana'ewa  
29                   Agricultural Park, Waiākea, South Hilo, Island of Hawai'i, Hawai'i  
30

31 Beryl Manliguis, Agricultural Resource Management Division, presented testimony as  
32 submitted.  
33

34 Motion to Approve: Ley/Gomes  
35

36 Discussion:

37 None  
38

39 Vote: Approved; Unanimously - 9  
40  
41  
42

43 V. OLD BUSINESS

44 None

1  
2  
3 VI. NEW BUSINESS  
4

5 1. NON-ACTION ITEM: Invasive Species Action Plan Updates  
6

7 Jonathan Ho, Plant Quarantine Manager, presented new business item.  
8

9 Discussion:

10 Mr. Ho said the legislature provided \$10 million funding to the state for a variety of  
11 biosecurity measures. \$1 million was allocated to the CRB response and the RFP went  
12 out this month. The proposals are in, and they're being reviewed. \$800,000.00 for  
13 Green Waste is closing in December of 2024. \$1.1 million is for LFA and the RFP  
14 closed in November as well and the proposals are being reviewed. These are for pest  
15 control operators to do treatments for LFA in residential areas. The PQ has already  
16 started doing residential surveys with the first survey done on 11/18 and covered about  
17 5 ½ acres. We also have additional residential areas and once the contracts get  
18 implemented, we'll have sites that are already ready to go for the treatments. For the  
19 Brown Tree Snake Rapid Response, \$240,000 was allocated. The traps get corroded,  
20 damaged, and stolen and we'll try to get a galvanized price so we can get the counts  
21 needed for distribution. There was a little under \$75,000 for Coqui Frog and it'll be used  
22 for citric, and it's currently being used on Kauai and on Oahu. There are some issues  
23 with storage and effectiveness, so we are not buying the citric all at once. For the Two-  
24 Lined Spittle Bug, the proposals are being reviewed. \$300,000 funds are for the Rose-  
25 Ringed Parakeet for Oahu. Act 231 also provided 20 positions statewide and we're  
26 doing interviews for 89-day hires since the funds are good for only one year. Lastly, the  
27 board did a final approval for 4-72 at the last board meeting. Mr. Ho said he created a  
28 very high level 2-page guidance document explaining the intent of the regulation and  
29 the quarantine procedures that the department would take prior to the implantation of a  
30 quarantine. He said that he can provide this to the board members at our next board  
31 meeting. The rules went to Small Business last week and the Hawaii Floriculture and  
32 Nursery Association attended and brought up some concerns similar to the board. After  
33 discussing with them, they understood what the intent of the regulation was and did  
34 recommend approval to the Governor. Mr. Ho added that he will work with the industry  
35 to disseminate it and if they need clarification. He will work on that for finalization and  
36 distribution.  
37

38 Member Cabral asked if they will be given updates monthly.  
39

40 Mr. Ho said correct, and he will provide updates to the board members monthly. He said  
41 he will provide this update to Marci, and she can email it to the board members. He also  
42 said they'll be working with some of the industry representatives to meet with them as  
43 well.  
44

1 Member Ley asked if the LFA applications and pest control are solely on Oahu or other  
2 islands?

3

4 Mr. Ho said the majority of the funds are slated for Oahu, but every island has a piece of  
5 that amount. This is for residential.

6

7 Member Oswald asked how much of the containers are getting inspected?

8

9 Mr. Ho said depending on the goods, an estimated amount of 10-15% and it's based off  
10 regulated commodities that are imported. Statutorily, we have the authority to inspect  
11 specific classes of goods at port of entry. These include plants, plant parts, cut flowers,  
12 fresh fruit and vegetables and other raw or natural plant materials, non-domestic  
13 animals, known cultures of microorganisms and soil.

14

15 Member Oswald asked how they treat the item if you found an invasive pest.

16

17 Mr. Ho said the first thing would be to contain the commodity to prevent further escape  
18 or spread. Once containment occurs, you'll do identification of the pest. If the pest is not  
19 known to occur in the state, the commodity would need to be subjected to treatment that  
20 eradicates the pest. The commodity will either be destroyed or will be sent out of state.

21

22 Member Oswald asked if sulfuryl fluoride, phosphine mixed with CO2, methyl bromide,  
23 and for organic CO2 methods used.

24

25 Mr. Ho said it depends on the pest. He said they work with the applicant and the  
26 applicant will find a licensed fumigator that is able to provide a treatment that can be  
27 approved.

28

29 Member Oswald asked how they can better serve HDOA and service these entry points.

30

31 Mr. Ho said we import 90% of our goods and he doesn't see that changing any time  
32 soon and as long as there's imports, there is going to be risks. The resources that New  
33 Zealand spends is about 10 times the amount of what we do. They focus very heavily  
34 on pre-entry which forces as much of the inspections, treatments, compliance,  
35 agreements outside the boarder prior to entry. One of the advantages is that they are a  
36 country, and we are a state. Finding more staff and the ability to conduct more  
37 inspections is the best way. He said there is individual states that have specific  
38 requirements for importation on their own. Fleshy fruits can't be exported from the state  
39 because of fruit flies. USDA has created a federal quarantine of the State of Hawaii and  
40 has precluded the ability for Hawaii to ship most fresh fruit. Each individual state has its'  
41 own specific requirements, and we will work with shippers to meet the requirements at  
42 the state level. He added that most states don't have a lot of regulatory structure,

1 particularly with regards to import. The majority of their time is spent on export while  
2 Hawaii spends the majority of our time on import regulation.

3

4 Chairperson Hurd said we can schedule an APHIS speaker or an excursion to talk  
5 about this problem that farmers are experiencing.

6

7 Member Gomes asked if we are actively recruiting more staff to help Jonathan.

8

9 Chairperson Hurd said yes. The legislature has supported us with positions, and we'll  
10 be going back to them this year to ask for more positions.

11

12 Motion to adjourn: Gomes/Cowell

13

14 The meeting was adjourned at 11:41 am

15

16 Respectfully submitted,

17

18

19

20 Marci Clingan

21